

July 7th

2004



Key Largo Wastewater Treatment District Board of Commissioner's Meeting Agenda

5:00 PM Wednesday, July 7, 2004

**Key Largo Civic Club, 209 Ocean Bay Drive
Key Largo, Monroe County, Florida**

I - Call to Order

II - Pledge of Allegiance

III - Additions, Deletions or Corrections to the Regular Meeting Agenda

IV - Approval of the Draft June 16, 2004 Meeting Minutes

V - Public Comment

VI - Legal Counsel's Report

LC 1 - Haskell Notice of Delay

LC 2 - Prompt Pay Act Am. No. 1 to the Haskell Contract

LC 3 - Status of Lease for Bank of America

LC 4 - Letter to the Supervisor of Elections, Monroe County

LC 5 - Direct Purchase Procedures

VII - Action Items

AI 1 - Approval of Resolution 2004-01 of the KLWTD Approving Direct Equipment Purchases

AI 2 - Approval of Work Authorization WEC 04-01 with Weiler Engineering Corporation for Development of an RFP for the Next KLWTD Project

AI 3 - Approval of Amendment No. 1 to the Weiler Engineering Corporation Contract for Consulting/Professional Services

VIII - Chief Financial Officers Report

CFO 1 - Approval of the Pending Payments List for July 7, 2004 including status of the MSTU Funds

CFO 2 - Status of the Annual Budget Process

IX - General Manager's Report

GM 1 - Status of the Clerk Position

GM 2 - Status of the CFO Position

GM 3 - Report on the Calusa Camp Resort Meeting

GM 4 - Status of the Site Mitigation

GM 5 - Status of the System Development Charge / Rate Study

GM 6 - Status of the FEMA Project 1249-25 Funding Agreement

X - Engineer's Report

- PE 1 - Report on the Design Review
- PE 2 - Engineering Status Report
- PE 3 - Status of Change Order to add a second floor to the treatment plant for use as office space
- PE 4 - Discussion Items from the Haskell Company (presented by Will English)

XI - Public Comment

XII - Commissioner's Items

CI 1 - Status of the CFO's Position -- Chairman Bauman

CI 2 - GSG Contract/District Representative - Commissioner Tobin

CI 3 - Update on past agenda items:

- A. FEMA FONSI Status
- B. Water Quality Testing
- C. Resolution of \$100K Loan repayment issue
- D. Site mitigation
- E. KLP vacant lot resolution
- F. Project request for FEMA deadline extension
- G. CDBG Grants and/or funds for private connections
- H. Procedures
- I. Web Site Development

XIII - Meeting Adjournment

**KLWTD Board Meeting
July 7, 2004**

**Draft
June 16, 2004
Board Meeting Minutes**

draft



Key Largo Wastewater Treatment District Board of Commissioner's Meeting Minutes

5:00 PM Wednesday, June 16, 2004

**Key Largo Civic Club, 209 Ocean Bay Drive
Key Largo, Monroe County, Florida**

Board Members Present

Gary Bauman, Chairman
Cris Beaty
Charles Brooks
Andrew Tobin
Jerry Wilkinson

Staff Present

Charles F. Fishburn, General Manager
Thomas Dillon, Board Attorney
Ed R. Castle, Board Engineer
Faith Doyle, Board Clerk
David R. Miles, CFO, via telephone

Guests Present

Steve Gibbs, reporter
Joan Mowery-Barrow, Key Largo resident
David Barrow, Key Largo resident
Ann Henson, reporter
Will English, Project Manager, The Haskell Company

A. Call to Order

Chairman Bauman called the meeting to order at 5:03 p.m.

B. Pledge of Allegiance

The pledge was recited.

C. Additions, Deletions or Corrections to the Regular Meeting Agenda

Commissioner Wilkinson requested that all manager housekeeping items be moved up on the agenda. The Chairman agreed to move the manager items after the G1 action item was acted on.

Commissioner Brooks requested that Item G5 the DCA grant agreement be tabled or moved to the general manager items for discussion. Comm. Brooks made the suggestion because the

new item was not available. He had hoped to have some commitment from the County and he doesn't believe it should be acted on until all documentation is received. Chairman Bauman moved it from action to discussion. Comm. Brooks also requested moving the resolution at G4 that was not prepared for this evening. Mr. Fishburn stated that enough information has been received on direct purchasing to discuss it this evening and then it could be an action item at the next meeting. Mr. Dillon stated that there has been a general understanding of how it would work however a list of the items to be purchased needs to be defined to finalize the resolution.

The chair removed from the action item G4 until Mr. Dillon acquires the additional information needed.

D. Approval of the Draft June 2, 2004 Meeting Minutes

Commissioner Wilkinson moved to approve the June 2, 2004 meeting minutes. Commissioner Brooks seconded the motion. All were in favor and the item was unanimously approved.

E. Public Comment

Mrs. Joan Barrow questioned the Board on their choice of collection systems. Commissioner Wilkinson commented that initial capital costs were comparative but the monthly operating costs were much higher for a vacuum system. Mrs. Barrow suggested reconsidering the issue. Commissioner Brooks stated that we are beyond the selection process and that the 99% system design. Discussion ensued. Commissioner Tobin noted the design and plans were approved by the FCAA prior to the formation of the KLWTD. Chairman Bauman stated that gravity systems would be utilized in the future.

F. Legal Counsel's Report

1. Discussion of Effective Date of Resignation

Mr. Dillon stated that after researching the issue Commissioner Wilkinson can resign effective on November 1, 2004.

2. Discussion of applicability of Florida Public Records Act to certain documents

Mr. Dillon stated that this request was not made to the District so therefore doesn't need action by the District.

3. Update on the Haskell Notice of Delay

Mr. Dillon stated that it would be appropriate to give some time (90 days) as an administrative convenience along with the items listed in his memo. Mr. Dillon stated that a formal response had not been sent to Haskell. Mr. Dillon stated that if the Board were in agreement with the points made in his memo a letter would be drafted and sent to Haskell.

4. Update on Am. No.1 to the Haskell Contract

Mr. Dillon stated that Haskell had requested to ignore the Notice to Proceed. Discussion ensued. Mr. Dillon drafted a letter for Mr. Fishburn to send to clarify the issues. The letter would also inform Haskell that he is now the KLWTD general manager and point of contact.

5. Update on Legislative Change (House Bill 471)

Mr. Dillon stated that the bill would become law by July 1, 2004.

Commissioner Brooks stated that there has been concern expressed by the Monroe County Supervisor of Elections office concerning the filling of vacancies between general elections. Discussion ensued on the seats available and length of terms needed. Commissioner Brooks read suggested motions and the purpose of having the numbered seats in alphabetical order. Discussion ensued on the necessity of the seat numbers.

Mr. Dillon was asked to contact the elections supervisor concerning the issue and report his findings at the next meeting.

G. Action Items

1. Approval of a motion to reconsider the selection of a district manager

Commissioner Brooks moved to reconsider the previous action of selecting a district manager. No second to the motion was made and the motion failed.

2. Approval of the manager-select contract

Mr. Dillon presented the revised documents Version A, starting on June 1, 2004 and Version B, starting on June 20.

It was suggested that the cost of living increase be dropped. Mr. Fishburn agreed. Discussion ensued on the merit raises.

Commissioner Brooks requested the termination notice change from 90 days notice to 30 days. Discussion ensued on the impact of a 90-day notice. A sever ability clause was discussed briefly. It was noted that fraud would be separated from the other dismissal issues.

It was noted that a minor correction to page 1 referring to section 7 should be section 8.

Commissioner Brooks stated concern with the salary and the implications of health insurance benefits. Discussion ensued. It was suggested that a phrase be added to the contract in item 6 that the salary had been increased in lieu of benefits. It was suggested that it be added that health insurance would be at the manager's expense.

Chairman Bauman suggested a compromise of the salary to \$85,000 at this point and once there is more employees and more projects the compensation would then increase.

Mr. Miles stated that the pay date being the last day of every month might incur an additional cost because it was a different pay schedule than the Board's. Mr. Dillon was instructed to check on the pay date issue.

Commissioner Wilkinson moved to approve the contract with a June 1, 2004 starting date, a 90-day termination notice, a salary of \$92,000 per year with section 3. B to be paid at a prorated amount based the time of separation section 3. D would be removed and section 3. 3 would be separate out 'fraud' into its own clause. Commissioner Beaty seconded the motion. The Chairman requested a roll call vote.

Commissioner Beaty	Yes
Commissioner Brooks	No
Commissioner Tobin	Yes
Commissioner Wilkinson	Yes
Chairman Bauman	No

The motion was approved by a vote of three in favor.

3. Approval of the Pending Payments List for June 16, 2004

Mr. Miles reviewed the list and the memo on the finances. Commissioner Tobin entertained several questions. Mr. Miles addressed the concerns. Mr. Miles noted that another draw had been requested from the FCAA on the FEMA Phase 1 funds. Commissioner Tobin question if GSG costs would be dropping. Mr. Miles confirmed that it would because Mr. Sheets and Mr. Sweats time would no longer be considered. Commissioner Tobin suggested the GSG be held until the back up has been received and reviewed. Mr. Miles stated he would forward the information.

Commissioner Wilkinson moved to approve the pending payments list less the \$10,800 payment to GSG. Commissioner Beaty seconded the motion. All were in favor and the item was unanimously approved.

4. Approval of Resolution 2004-01 of the KLWTD Approving Direct Equipment Purchases

The item was pulled for discussion.

5. Approval of DCA Grant Agreement for FEMA Project 1249-25

The item was pulled for discussion.

H. General Manager's Report

1. Discussion of Commercial Connections (Calusa Camp Resort)

Mr. Fishburn stated that he had talked with the Calusa Camp Resort management and that in his opinion Calusa is having difficulties seeing the big picture. Mr. Fishburn believes that after the rate studies the picture may change. Discussion ensued on the issue with Mr. Castle being requested to email the original Calusa report for review. Mr. Castle stated that he would summarize and resend the document.

Mr. Fishburn stated he would review the Calusa report with the resort management and that Mr. Castle would join him for the meeting.

2. Discussion of a Rate Study

Mr. Fishburn reviewed the information provided. He stated that a scope of service needs to be developed to request a more precise rate study. Mr. Fishburn stated the study is necessary to determine if the present \$2,700 connection and \$35 monthly charge would uphold the budget. Discussion ensued on the rate study process and forecasting. It was noted that \$15,000 was budgeted in the FY2004 budget for a rate study.

Commissioner Brooks stated concern that the information presented at the KLTV meeting on July 22, 2004 would be incorrect.

It was the consensus of the Board that a concept review report is reviewed by Mr. Fishburn and Mr. Castle and a draft a scope of service to procure a rate study be developed.

3. Discussion of the system development charge options

Mr. Fishburn presented the information that had been provided. Mr. Fishburn shares the Board's concern that financing option must be available for Key Largo residents.

Mr. Fishburn noted that the one year to connection notices should be going out soon.

The "Flex Choice" option was discussed. The Board was interested in the concept and would like to learn more about it. Mr. Fishburn would provide more information in the future.

4. Discussion of Rental Space

Mr. Fishburn stated that he had looked at the TIB and Dameron buildings. Mr. Dillon reported that the Bank of America had a minimum one-year lease with a six-months notice to terminate at a cost of \$13,000 per year. It was noted that the Sante building was not progressing.

Mr. Fishburn stated that another option would be to add a second floor to the treatment plant. An approximate cost for 1400 square feet would be \$80-00 thousand. Mr. Will English stated that it would be hurricane proof and a good long-term solution. The Board requested that a change order be presented at the next meeting. Mr. Castle requested that Haskel show how it would impact future development phases.

Mr. Dillon was directed to request a lease with the Bank of America for action at the next meeting.

5. Discussion of an RFP for the next project

Mr. Fishburn recommended that Mr. Castle prepare an RFP for Sexton Cove and that the Mayor be contacted for the funds to cover the cost of preparing the document. Discussion ensued. Mr. Castle stated that he would provide a proposal of the costs for the next agenda. It was suggested that a Board member meet with the Mayor concerning the funding.

6. Discussion of Site Mitigation Plan

Mr. Fishburn stated that he plans to meet with the Mayor, Mr. Castle, Ms. Conaway and Mr. Garrett on settling the mitigation issue. Commissioner Tobin request that an email be sent to him updating him on the issue after the meeting is held. Commissioner Brooks requested that Mr. Fishburn obtain a codified written document as to the County's commitment.

Mr. Fishburn requested the authority to contract with a biologist if necessary when meeting with Fish and Wildlife. The Board gave the authority and asked for a status report at the next meeting.

7. Discussion of Transfer of the Official KLWTD Records from Orlando to Key Largo

Mr. Fishburn stated that all of the official records would be retained by GSG until the transition is complete.

8. Status of the MSTU Funds

Mr. Fishburn suggested that future agendas provide a section for the CFO to report on issues. Mr. Miles stated that the third draw of the MSTU funds had been requested two weeks ago. Commissioner Wilkinson asked how much was left. Mr. Miles stated that there was approximately \$400,000 left.

I. Engineer's Report

1. Design Review Status

Mr. Castle stated that the 99% plans would be received by June 22 and review meeting was scheduled for July 1.

2. Adjustment of WEC Monthly Invoicing

Mr. Castle presented the information and commented the document memorializes the agreement that had been verbal.

J. Public Comment

No one present wished to address the Board.

K. Commissioner's Items

1. Discussion of the CFO and Clerk Positions – Chairman Bauman

It was suggested that a secretary/clerk be hired as soon as possible as a district employee. Commissioner Beaty stated that he would prefer that a CPA provide the CFO function. It was the consensus of the Board that Mr. Fishburn interview for the clerks position and advertise if necessary.

2. Discussion for possible action of the manager/manager-select and attorney to contract for temporary office space on a month-to-month tenancy not to exceed \$1.25 per square foot and a total cost of \$1,000 including utilities monthly – Commissioner Wilkinson

It was the consensus of the Board for Mr. Fishburn to use the Thrifty building on a month-to-month basis at a rate of \$700.00. The Board requested that documentation of the expenses be provided for reimbursement.

2.a. Discussion of Bank of America as temporary office space on a month-to-month basis – Commissioner Tobin

This item had been discussed previously.

3. Discussion for possible action of the manager/manager-select and attorney to contract for communications (telephone/DSL) capability transferable within the

The Board gave its consensus.

4. Discussion for possible action of the authority of the manager/manager-select to spend not-to-exceed \$5,000.00 for office startup equipment, fixtures, furniture, supplies and other office needed materials – Commissioner Wilkinson

The Board gave its consensus.

5. Discussion for possible action of directing the outgoing manager and staff to prepare a comprehensive list of accounts payable and receivable, insurances, mandated reports with submission dates, etc. accompanied with a contact person, email and mailing address, telephone number and other necessary items necessary for the transition to local management. The intent is that all expected services, tasks, accounts, contacts, etc. necessary for the proper management of the KLWTD whether major or minor be disclosed promptly to the incoming manager and the District – Commissioner Wilkinson

This task was assigned to the general manager with the consensus of the Board.

It was noted that GSG had provided estimated monthly hours and that Chairman Bauman had approved them.

L. Update on past agenda items:

1. FEMA FONSI Status
2. Water Quality Testing
3. Resolution of \$100K Loan repayment issue
4. Site mitigation
5. KLP vacant lot resolution
6. Project request for FEMA deadline extension
7. CDBG Grants and/or funds for private connections
8. Procedures
9. Web Site Development

M. Meeting Adjournment

Chairman Bauman adjourned 8:35 p.m.

**KLWTD Board Meeting
July 7, 2004**

Item LC 1

Haskell Notice of Delay

Faith Doyle

From: Thomas Dillon [thomasdillon@terranoa.net]
Sent: Monday, June 28, 2004 11:26 AM
To: Chuck Fishburn
Cc: Jerry Wilkinson; Gary Bauman (E-mail); Faith Doyle; Cris Beaty (E-mail); Charles Brooks (E-mail); Andrew Tobin; Chuck Fishburn
Subject: Haskell delay

Chuck,

Haskell's monthly progress report No. 10 for May, 2004, shows a new projected date for substantial completion of November 7, 2005, which is 98 days later than the August 1, 2005 date for substantial completion anticipated in the contract preliminary schedule. It is likely that additional delays will occur.

In order to avoid further disputes, I am now changing the recommendation stated in my May 24, 2004 memorandum (copy attached). I am recommending that the District grant the entire 162 days requested by Haskell, subject to the conditions stated in the memorandum.

I think that you, as District General Manager, should request that Haskell prepare a change order (#2) changing the date of contract substantial completion to January 10, 2006 (August 1, 2005 plus 162 days). The change order should include the following recitations:

"Haskell acknowledges and agrees that the District does not concede that Haskell has provided sufficient information to allow the District to conclude that Haskell is entitled to additional contract time in any amount. The District is granting additional contract time as partial settlement of a disputed issue and in consideration of Haskell's agreement that it is waiving forever any claim that it might make for extended overhead and similar costs incurred on account of the additional contract time allowed.

"Further Haskell acknowledges and agrees that the District does not agree that Haskell has demonstrated entitlement to additional compensation for material, labor, or other cost increases, and the parties agree that these issues will be addressed at a later date."

Tom

6/28/04

Memo

To: Key Largo Wastewater Treatment District

From: Thomas M. Dillon

CC: District staff, Peter Kinsley

Date: 5/24/04

Re: Haskell Delay letter

Note: This memorandum constitutes attorney work product and attorney communications.

I attach for reference a letter dated 5/17/04, and received 5/18/04, from Peter Kinsley regarding delay issues.

Note that the memorandum of 3/31/04 was a memorandum to the District and not to Mr. Kinsley or Haskell, regarding issues raised by Haskell's earlier assertions of entitlement to additional time and additional compensation. To the best of my knowledge, the District has taken no action regarding these assertions.

By its letter of 5/17/04, Haskell has now confirmed in writing that it intends to limit its claim so as to seek reimbursement only for "direct material, labor and equipment cost increases." Haskell has confirmed further that any claim for delay will exclude a claim for reimbursement of overhead cost.

As noted in my memorandum of 3/31/04, I believe that there is no serious basis disagreement as to whether the project is behind schedule. I continue to believe that Haskell has not presented facts that would support the conclusion that the delays are due to causes entirely beyond Haskell's control, and Haskell continues to assert the contrary position. These positions should not prevent a partial resolution of the issues.

Although Haskell has requested 162 days of additional contract time, the most recent schedule in my possession (from the April 2004 Monthly Progress Report) shows substantial completion occurring on 9/16/05, as opposed to the contractual substantial completion date of 8/1/05, a difference of 46 days. I expect that additional delays will occur.

I recommend that the District prepare a Change Order, as follows:

1. Grant additional contract time of 90 days, resulting in a new substantial completion date of October 30, 2005;
2. Provide that the District will consider granting additional contract time, provided that the need for additional time is supported by scheduling information provided by Haskell;
3. Provide that the District's willingness to provide additional contract time based only on Haskell's need for additional time, and without demonstrating entitlement, causation, and quantum, is premised on Haskell's willingness to waive any claim for additional overhead and similar costs on account of the time granted;
4. Provide that the District and Haskell do not agree on the question of entitlement to additional compensation for material, labor, and cost increases, and that these issues will be addressed at a later time.

KLWTD Board Meeting
July 7, 2004

Item LC 3

Status of Lease for
Bank of America

Faith Doyle

From: Thomas Dillon [thomasdillon@terranova.net]
Sent: Wednesday, June 30, 2004 9:56 AM
To: Faith Doyle
Subject: Fw: Bank of America Key Largo space+

Faith, please insert this email in the agenda as support re B of A lease. Thanks, Tom

----- Original Message -----

From: Thomas Dillon
To: psmith@aboodwoodfay.com
Sent: Wednesday, June 23, 2004 12:08 PM
Subject: Re: Bank of America Key Largo space+

I have sent your email to the Board for review. I doubt that the Bank's position will be acceptable to the Board.
Tom

----- Original Message -----

From: Pamela I. Smith
To: Thomas Dillon
Cc: Grace (AT HOME) Blanco
Sent: Tuesday, June 22, 2004 11:58 AM
Subject: RE: Bank of America Key Largo space+

I've received a response from B of A regarding your lease comments.

- 1) Base Rent needs to be expressed as \$13.00/sft per annum or \$1,625.00 per month.
- 2) Landlord is not willing to make the proposed changes to 14.1 Waiver or 14.2 Act of God or 14.33 Attorney's Fees.
- 3) Given that you are a government entity, we need to verify that the ADA bathroom is in compliance with code - could you also verify from your end that one of the existing bathrooms is ADA.
- 4) Please know that the building air conditioning presently runs from 7 am to 8 pm Monday through Friday. Although Jesus, the property manager, would be willing to leave the air on until 10 pm occasionally for your meetings any additional airconditioning hours would have to be billed to you.

Please let me have your comments/approval of the above in order to send you a final lease document. Thanks,

Pamela Ibañez Smith
Senior Commercial Associate
Abood Wood-Fay Real Estate Group/TCN Worldwide
Alhambra West
95 Merrick Way, Suite 380
Coral Gables, Florida 33134
Ph (305) 446-0011

Fax (305) 446-1907

psmith@aboodwoodfay.com

-----Original Message-----

From: Thomas Dillon [mailto:thomasdillon@terranova.net]

Sent: Monday, June 21, 2004 10:10 AM

To: psmith@aboodwoodfay.com

Cc: David Miles; Charles Fishburn; Andrew Tobin; Charles Brooks (E-mail); Cris Beaty (E-mail); Faith Doyle; Gary Bauman (E-mail); Jerry Wilkinson

Subject: Re: Bank of America Key Largo space+

Pam,

The Key Largo Wastewater Treatment District Board has asked me to begin negotiations with you for leasing the space on the second floor of the Bank of America building in Key Largo.

The District intends to subdivide a portion of the premises through the use of movable partitions, and to use a portion of the premises for meetings, including public meetings. The District holds public meetings at least two evenings/month, and has held occasional public meetings from time to time. All public meetings require public notice, and the District would provide notice to the Landlord so that air conditioning, etc., can be provided.

I have reviewed your lease form and made a few suggested changes to address the fact that the District is a public agency and to reflect our discussion regarding early termination. I have not calculated the monthly rent, and ask that you insert the same. Also, please provide Exhibits A and B.

Please review the attached form as revised, and let me have your thoughts.

Tom

----- Original Message -----

From: Pamela I. Smith

To: Thomas Dillon

Sent: Thursday, May 20, 2004 8:43 AM

Subject: RE: Bank of America Key Largo space+

Please forgive my terrible delay in tracking down this lease. Attached is a Master for your review.

Let me know if you are interested in proceeding with a lease for a two year term at a base rental rate of \$13.00 per square foot.

Regards,

Pamela Ibañez Smith

Senior Commercial Associate

Abood Wood-Fay Real Estate Group/TCN Worldwide

Alhambra West

95 Merrick Way, Suite 380

Coral Gables, Florida 33134

Ph (305) 446-0011

Fax (305) 446-1907

psmith@aboodwoodfay.com

6/30/04

-----Original Message-----

From: Thomas Dillon [mailto:thomasdillon@terranova.net]
Sent: Tuesday, May 11, 2004 9:18 PM
To: psmith@aboodwoodfay.com
Subject: Re: Bank of America Key Largo space+

Thanks, my fax number is 305-853-2693. Tom

----- Original Message -----

From: Pamela I. Smith
To: Thomas Dillon
Sent: Tuesday, May 11, 2004 5:45 PM
Subject: RE: Bank of America Key Largo space+

Pardon my delay in replying. I will obtain the lease document from the Landlord and try to get it to you ASAP.

Kind regards,

Pamela Ibañez Smith
Senior Commercial Associate
Abood Wood-Fay Real Estate Group/TCN Worldwide
Alhambra West
95 Merrick Way, Suite 380
Coral Gables, Florida 33134
Ph (305) 446-0011
Fax (305) 446-1907
psmith@aboodwoodfay.com

-----Original Message-----

From: Thomas Dillon [mailto:thomasdillon@terranova.net]
Sent: Monday, May 10, 2004 2:31 PM
To: Pamela Smith
Cc: Robert Sheets; EdRCastle@aol.com; David Miles; Charles Sweat; Charles Fishburn; Jeff Weiler; weiler7@comcast.net; Andrew Tobin; Charles Brooks (E-mail); Cris Beaty (E-mail); Gary Bauman (E-mail); Jerry Wilkinson; Faith Doyle
Subject: Bank of America Key Largo space+

Dear Ms. Smith,

You may recall speaking with me on the telephone regarding the space available for rent in the Bank of America Building at Key Largo. Per your instructions, I viewed the space, as have a number of Board members of the Key Largo Wastewater Treatment District.

The District is interested in renting the space. Can you please e-mail me your lease form and a summary of the commercial terms the Bank is willing to accept?

Thank you,
Thomas M. Dillon
305-304-6735

**KLWTD Board Meeting
July 7, 2004**

Item LC 4

**Letter to the Supervisor of
Elections, Monroe County**



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

June 21, 2004

Harry L. Sawyer, Jr.
Supervisor of Elections
Monroe County, Florida
530 Whitehead Street, #101
Key West, Florida 33040-6577

Dear Mr. Sawyer:

At its meeting last evening, the Key Largo Wastewater Treatment District Board discussed issues regarding the upcoming general election to fill seats on the Board.

Please number the seats as follows:

Bauman Seat	#1
Beatty Seat	#2
Brooks Seat	#3
Tobin Seat	#4
Wilkinson Seat	#5

Pursuant to Section 5(2) of the Key Largo Wastewater Treatment District Act (2002-337) (the "Act"), the terms of the two incumbents who received the lowest numbers of votes in the 2002 election will expire this year and will be filled in the 2004 General Election. Those incumbents are Mr. Bauman (Seat #1) and Mr. Beatty (Seat #2). The seats will be filled by the two persons who receive the highest numbers of votes in the election.

As you know, Mr. Wilkinson (Seat #5) has resigned his seat effective November 1, 2004, and there will be a vacancy on the Board as of that date.

In its current form, Section 5(6) of the Act provides that in case of a vacancy on the Board due to resignation, the vacancy will be filled by a special election to be held within 30 days after the occurrence of the vacancy. However, the Act is in the process of being amended to provide that in the event of a vacancy, the Board will appoint a successor to serve until the next general election, and the elected successor will serve out the remainder of the unexpired term of the resigning Board member. The amending legislation (HB 1577) has been passed by the Legislature and was presented to the Governor on June 9. Unless vetoed, it will become law on June 24, 2004.

Assuming that HB 1577 becomes law, the Key Largo Wastewater Treatment District will not have time to fill the vacancy created by Mr. Wilkinson's resignation prior to the November 2, 2004 general election, and suggests that the vacancy be placed on the November 2 ballot as a third seat, to be filled by the candidate receiving the third highest number of votes.

If HB 1577 does not become law, then the vacancy will have to be filled by a special election held no later than December 2, 2004. The District suggests that even under the existing Act, the vacancy can be filled in the November 2, 2004 general election.

Board of Commissioners: Chairman Gary Bauman, Andrew Tobin, Cris Beatty, Charles Brooks, Jerry Wilkinson

In either case, candidates for the Seat #5 can qualify at the same time as candidates for Seats #1 and #2, and the person receiving the third highest number of votes can fill Seat #5 for the unexpired term.

As evidenced by the signature of the District's Counsel, this letter has been reviewed and approved as to form and substance.

Yours,

Gary A. Bauman, Chairman

Approved as to form and substance

Thomas M. Dillon, District Counsel

Cc:

Lisa Moeller
Joyce Griffin

Cc:

Lisa Moeller
Joyce Griffin

Faith Doyle

From: Andrew Tobin [Tobinlaw@Terranova.net]
Sent: Monday, June 21, 2004 2:43 PM
To: Thomas Dillon; Charles Fishburn; Charles Brooks (E-mail); Cris Beaty (E-mail); Faith Doyle; Gary Bauman (E-mail); Jerry Wilkinson
Cc: Charles Fishburn
Subject: At large voting

All;

I have not read the legislation but according to our attorney naming the seats 1, 2, 3, 4, & 5, will not change the "at large" voting procedure that was used to form our board.

That means that if there is any opposition to any seat, everyone has to run. For instance if Seat 1 is doing a good job and Seat 2 is not, and someone decides to run because they are unhappy about Seat 2, they are actually running against both Seat 1 and Seat 2 because the top 2 vote getters fill the seats.

Its contrary to the way every other board is elected, and is counter-intuitive in my opinion.

I would like to discuss requesting a legislative amendment and request that it be included as an agenda item.

Thanks,

Andy

Andrew M. Tobin
P.O. Box 620
Tavernier, FL 33070
305-852-3388
Tobinlaw@Terranova.net

----- Original Message -----

From: Thomas Dillon
To: Andrew Tobin ; Charles Fishburn ; Charles Brooks (E-mail) ; Cris Beaty (E-mail) ; Faith Doyle ; Gary Bauman (E-mail) ; Jerry Wilkinson
Cc: Robert Sheets ; EdRCastle@aol.com ; David Miles ; Charles Sweat ; Charles Fishburn ; Jeff Weiler ; weiler7@comcast.net
Sent: Monday, June 21, 2004 10:16 AM
Subject: Re: draft letter to Sawyer

Andy,

Yes, I checked the Key Largo Wastewater Treatment District Act and found that in all elections after the first one, the two candidates receiving the highest numbers of votes will fill the seats.

The Act does not directly address the filling of vacancies. Therefore I have suggested, and Mr. Sawyer has agreed, that the candidate receiving the third highest number of votes can fill a vacancy. Because the seats are to be treated differently, I agreed that they should be numbered so that any voter information can clearly identify the seat becoming vacant.

I sent a draft letter to Mr. Sawyer on Thursday, and spoke with him. The attached revised letter went on Sunday. After he approves it, a final letter will be sent.

6/28/04

Tom

----- Original Message -----

From: Andrew Tobin

To: Thomas Dillon ; Charles Fishburn ; Charles Brooks (E-mail) ; Cris Beaty (E-mail) ; Faith Doyle ; Gary Bauman (E-mail) ; Jerry Wilkinson

Cc: Robert Sheets ; EdRCastle@aol.com ; David Miles ; Charles Sweat ; Charles Fishburn ; Jeff Weiler ; weiler7@comcast.net

Sent: Thursday, June 17, 2004 4:16 PM

Subject: Re: draft letter to Sawyer

Tom;

Did you ever resolve whether each seat is a separate election or the top voters fill the seats in accordance with their ranking. Does the legislation address the issue or is it something the Board must vote on?

Andy

Andrew M. Tobin

P.O. Box 620

Tavernier, FL 33070

305-852-3388

Tobinlaw@Terranova.net

----- Original Message -----

From: Thomas Dillon

To: Charles Fishburn ; Andrew Tobin ; Charles Brooks (E-mail) ; Cris Beaty (E-mail) ; Faith Doyle ; Gary Bauman (E-mail) ; Jerry Wilkinson

Cc: Robert Sheets ; EdRCastle@aol.com ; David Miles ; Charles Sweat ; Charles Fishburn ; Jeff Weiler ; weiler7@comcast.net

Sent: Thursday, June 17, 2004 10:09 AM

Subject: draft letter to Sawyer

I attach a draft letter to Supervisor Sawyer regarding the upcoming election. This is to be the basis for discussions with the elections office.

Tom

**KLWTD Board Meeting
July 7, 2004**

Item LC 5

Direct Purchase Procedures

DIRECT PURCHASE PROCEDURES

This document reflects the procedures needed to be finalized in order to conduct direct purchase activities:

1. Finalize list of direct-purchased equipment and materials. Haskell has provided lists on May 13, 2004 and June 22, 2004. The June 22, 2004 list is believed to be the final list recommended by Haskell. The District should review this list and determine whether it is the list of equipment and materials to be direct-purchased, or whether the District desires to add or delete any items.
2. Resolve to purchase the equipment and materials. The Board should adopt the attached resolution.
3. Draft a purchase order form. Request Haskell to submit a draft purchase order form incorporating Haskell's standard terms but to be issued in the name of the District for District review. The form should be in Word format.
4. Adopt procedures for processing invoices for direct-purchases of equipment and materials. I suggest that the invoices be sent to the District, which will immediately transmit them by facsimile to David Miles, who will prepare the checks for payment. Checks should be signed by Mr. Miles and sent to Mr. Fishburn to obtain additional authorized signatures. After signature, Mr. Fishburn should send all documents needed by Mr. Miles to facilitate accounting, and should mail the checks to the vendors.
5. Adopt procedures for processing change orders to reflect the savings in sales and use taxes.

KLWTD Board Meeting
July 7, 2004

Item A1 1

**Approval of Resolution 2004-01
Direct Equipment Purchases**

RESOLUTION 2004-01

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, ESTABLISHING A PROCEDURE FOR CONDUCTING DIRECT PURCHASE ACTIVITIES

WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desire to establish a procedure for conducting direct purchase activities;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT:

1. Under the terms of that certain Design-Build Agreement between the Key Largo Wastewater Treatment District ("District") and The Haskell Company ("Haskell"), dated effective June 25, 2003, the District retained the right to direct-purchase equipment and materials to be incorporated into the work.
2. The District believes that by exercising its right of direct-purchase to the maximum practicable extent, the public interest will be served, since direct-purchase will avoid the imposition of sales and use taxes amounting to many thousands of dollars.
3. Haskell has used competitive processes to evaluate vendors and potential equipment and materials and to obtain market prices. Further efforts by the District to competitively procure these items would be disruptive to the procurement process already under way by Haskell and would be detrimental to the purpose of the Key Largo Wastewater Treatment District Act ("Act"). Therefore, the District determines under Fla.Stat. 189.441 that the purposes of the Act will be most effectively served by allowing Haskell to proceed with its normal procurement processes to identify and select equipment, materials, and vendors for these items.
4. The District General Manager will identify the specific equipment and materials to be direct-purchased by the District, considering the nature of the equipment and materials and the amounts of sales and use taxes to be avoided versus the costs of administering the direct-purchase program. It is the intent of the District to exercise its right to direct-purchase equipment and materials to the maximum extent practicable and beneficial to the District.
5. The District will issue purchase orders in the District's name for selected equipment and materials, using purchase order forms substantially identical to Haskell's normal purchase order forms, and incorporating all reasonable protections for the District. The District's Counsel is directed to review and approve the purchase order forms for that purpose.
6. Haskell will submit completed purchase orders for specific equipment and materials to the District General Manager for execution. Each such purchase order will be supported by backup, including the vendor quotation. If Haskell has considered more than one

vendor, Haskell will provide a copy of its internal documentation showing the basis for selection of the successful vendor, along with the purchase order form. The District General Manager is authorized to execute each purchase order form on behalf of the District.

7. The District General Manager is authorized to accept equipment and materials on behalf of the District after consultation with Haskell to ensure that the goods are conforming goods. With assistance from Haskell and the District Counsel, if needed, the District General Manager will take appropriate steps to ensure that the goods are inspected and that any claims for defective goods are made promptly and timely.
8. The District General Manager is responsible to coordinate with the District Chief Financial Officer to ensure timely and complete transmittal of all invoices, checks, and other materials needed to ensure that all purchases are properly accounted-for, all purchases will meet the formal requirements under state law for exemption from sales taxes, and all payments are made timely under the Florida Prompt Payment Act.
9. After payment by the District for direct-purchased equipment and materials, Haskell will prepare and submit to the District change orders reducing the contract price under the Design-Build Agreement by the prices paid for the direct-purchased equipment and any state and county sales tax avoided as a result of the direct purchases.

PASSED AND ADOPTED this 7th day of July, 2004.

**KEY LARGO WASTEWATER TREATMENT
DISTRICT GOVERNING BOARD**

Gary Bauman, Chair
Key Largo Wastewater Treatment District

Cris Beaty, Secretary
Key Largo Wastewater Treatment District

Approved as to legal form:

Thomas Dillon, Esq., Board Attorney
Key Largo Wastewater Treatment District

**KLWTD Board Meeting
July 7, 2004**

Item A1 2

**Approval of Work Authorization
WEC 04-01 for Development of an
RFP by Weiler Engineering
Corporation**

WORK AUTHORIZATION NO. WEC 04-02

a

Contract for Consulting/Professional Services Agreement Between the
Key Largo Wastewater Treatment District (KLWTD),
a legal entity and public body created by
Chapter 02-337, Laws of Florida, 2003

and

The Weiler Engineering Corporation

A. SCOPE OF SERVICE

Request for Qualifications For Design of a Wastewater Treatment System To Serve Lake Surprise and Surrounding Communities

Objective

The objective of this assignment is to produce a Request For Qualifications for design of the next wastewater project in the Key Largo Wastewater Treatment District, in cooperation with the District Manager and the District Board. Data from the Monroe County Sanitary Sewer Wastewater Master Plan for the areas north of the MM 100.5 WWTP site to the northern border of the Key Largo Wastewater Treatment District will be updated to reflect current costs and will be used to provide a working tool to help the KLWTD Board make informed decisions related to providing central wastewater treatment service to the residents of the Key Largo area. Due to the constraints of funding, the Board must schedule projects in a manner that matches the funding as it becomes available. The updated data from the Master Plan will provide guidance for the next phase of construction of the collection, transmission and treatment systems that will serve the District. Operating revenue will also be considered when recommending the technologies used in the phased expansion of the wastewater system.

Upon completion of the Update and Report Phase, Engineer will coordinate with the District Manager and District Attorney to prepare a request for qualifications (RFQ) and select a consultant to prepare construction plans, specifications and bidding documents for the Project.

Scope of Services

Update and Report Phase

Engineer shall coordinate with the District Manager and the Board to prepare a conceptual design and report that will generally include:

1. Consult with the District Manager and the Board to define and clarify the Board's requirements for the Project and available data.
2. Advise as to the necessity of additional data or services which are not part of ENGINEER's Basic Services, and assist District in obtaining such data and services.

3. Identify, consult with, and analyze requirements of governmental authorities having jurisdiction to approve the portions of the Project designed or specified by ENGINEER.

4. Identify and evaluate two (2) alternate solutions (conventional or vacuum), or combinations thereof, available to the District and, after consultation with the District and District staff, recommend to the Board those solutions which in ENGINEER's judgment meet District's requirements for the Project.

5. Prepare a report (the "Report") which will, as appropriate, contain schematic layouts, sketches and conceptual design criteria with appropriate exhibits to indicate the agreed-to requirements, considerations involved, and those alternate solutions available to District which ENGINEER recommends. This Report will be accompanied by ENGINEER's opinion of Total Project Costs for each solution which is so recommended for the Project with each component separately itemized.

6. Furnish 12 review copies of the Report to District within 30 days of authorization to begin services and review it with District.

8. Revise the Report in response to District's and other parties' comments, as appropriate, and furnish 12 final copies of the revised Report to the District within 30 days after completion of reviewing it with District.

And more specifically:

Conceptual Design

Overlay Property Appraiser maps on scaled aerials, showing locations of Hot Spots, existing collection systems and package plants as identified in the Monroe County Sanitary Wastewater Master Plan. Review the Study Areas defined in Technical Memorandum No. 6 and verify optimal configuration. Adjust the Study Areas if necessary to define collection basins, or service areas, for the KLWTD. Provide conceptual locations and flow capacities of remote pump stations, whether vacuum or conventional, and associated transmission mains.

Show proposed sizes and location of transmission mains along the US 1 corridor north of the MM 100.5 WWTP site, including highway crossings. All piping is to be sized with appropriate peaking factors, with cumulative build-out flow capacity to be considered. Evaluate friction losses and optimize performance of the transmission main system, considering pipe sizing, operating pressure and possible use of booster pump stations if needed. Show locations where service would be provided to properties with existing collection systems and pump stations. Identify larger commercial properties that may be better served with a force main.

Provide a conceptual footprint of the MM 100.5 site showing expansion to the regional plant. Verify the regional plant capacity at build-out and identify the influent design flow at which the switch to the regional plant structure would take place.

Opinion of Project Costs

Three cost components for each recommended expansion will be estimated. These components are: 1.) Service area collection system and pump station cost; 2.) Transmission main cost; and 3.) Treatment plant expansion.

1. For each service area in the District north of the MM 100.5 wastewater treatment plant site, update the collection system cost estimates from Technical Memorandum No. 6. Verify estimated quantities as listed in Appendix A with the boundaries of the Study Areas adjusted, if needed, to reflect the boundaries of the proposed collection basins. With quantities verified, the costs for design, permitting and construction of each service area will be estimated using unit pricing from bids recently received in Monroe County for similar projects.
2. The cost of the transmission main from each service area to the wastewater treatment plant site will be estimated using the unit pricing cited above. It is understood that the first phase of expansion will most likely include a section of transmission main that may pass adjacent to service areas to be

connected in future phases. Once the first phase of expansion is selected, the cost of certain other phases of expansion may be reduced if a properly sized transmission main passes adjacent to the property.

3. The expansion of the wastewater treatment plant will be determined by the flow contribution from the service area to be connected. The transition to a regional wastewater plant will occur at the design influent flow determined in the conceptual design. For the service area considered, the cost of the appropriate expansion of the wastewater treatment plant will be estimated, using unit pricing as discussed earlier.

Certain costs associated with this project may be outlined in the report which are not intended to be funded by the District or by public money such as service laterals or collection systems located on private property. It is not the intent of this report to establish policy or determine who is responsible for funding this project.

Recommendations

After the updated cost estimates are determined as described, recommendations will be made for the first phase of expansion. The recommendation to be implemented will be in the range of \$35 M or more.

In considering which service areas will be recommended, factors other than capital costs will be considered. The Lake Surprise – Sexton Cove area is ranked as the number 1 wastewater Hot Spot in the KLWTD and will be the focal point of the collection system area. The total service area will be determined by evaluation of construction costs and funding available. It will be assumed that approximately \$35 million will be available in funding. This amount, less the costs associated with construction of the transmission force main and the wastewater treatment plant expansion, will determine the extent of the collection system service area. The potential for providing points of connection for properties with existing wastewater collection systems along the transmission force main route will also be considered as a potential operating revenue source for the District..

The recommendation will include a base service area and plant expansion, and will identify additional adjacent service areas that can be added to adjust the total project cost incrementally to the available funding. The estimates will also include a table identifying estimated annual wastewater system operation and maintenance costs for the District at completion of the phase versus the estimated total annual sewer revenue generated. The revenue generated from the connection fees will also be tabulated. Revenue estimates will be based on the targeted monthly sewer bill of \$35.00 per EDU and the targeted connection fee of \$2,700 per EDU.

Request for Qualifications Phase

Upon, completion of the update and report, Engineer incorporate the Report and will coordinate with District Manager and District Attorney to prepare a Scope of Work and a request for qualifications (RFQ) to select a Consultant to prepare construction plans, specifications and bidding documents for the Project.

Services for this phase will generally include:

1. With assistance from the District Manager, District Attorney and the Board, prepare a contract based on the existing general contract used by the Board and incorporate the scope of work and supplementary conditions developed as part of the Update and Report Phase.
2. Assist the District Manager with advertising for requests for qualifications and evaluating proposals for the Work and maintain a record of proposers to whom Documents have been issued.
3. Attend a pre-submittal conference and record minutes.
4. Issue Addenda as appropriate to clarify, correct, or change the Documents.

5. Consult with District as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by Consultant for those portions of the Work as to which such acceptability may be required by the Documents.
6. Assist District Manager, District Attorney and Board in evaluating proposals.
7. Assist District Manager, District Attorney and Board with assembling and awarding contract for the Work.

Design Review Phase

Study and Report Phase

Services during the study and report phase will generally include:

1. Consult with KLWTD to define and clarify KLWTD's requirements for the Project and available data.
2. Upon review of the initial information including Construction Contracts, permits, plans, specifications, reports and other available data, advise KLWTD as to the necessity of KLWTD's providing data or services which are not part of WEC's and or the Consultant's Basic Services, and assist KLWTD in obtaining such data and services.
3. Identify, consult with, and analyze requirements of governmental authorities having jurisdiction to approve the portions of the Project, including but not limited to mitigating measures identified in the environmental assessment.
4. Identify and evaluate alternate solutions available to KLWTD and provided by CONSULTANT, after consultation with KLWTD, recommend to KLWTD those solutions which in WEC's judgment meet KLWTD's requirements for the Project.
5. Review a Preliminary Design Report (the "Report") prepared by the CONSULTANT which will, as appropriate, contain schematic layouts, sketches and conceptual design criteria and an opinion of probable cause with appropriate exhibits to indicate the agreed-to requirements, considerations involved, and those alternate solutions available to KLWTD which CONSULTANT recommends.
6. Provide comments, request for additional information and recommendations to CONSULTANT for final inclusion in the Report.

B. WEC's services under the Study and Report Phase will be considered complete on the date when the final copies of the revised Report have been accepted and approved by the KLWTD.

Preliminary Design

- A. After acceptance by KLWTD of the Report, selection by KLWTD of a recommended solution and indication of any specific modifications or changes in the scope, extent, character, or design requirements of the Project desired by KLWTD, and upon written authorization from KLWTD, WEC shall:
1. Review Preliminary Design Phase documents consisting of final design criteria, preliminary drawings, outline specifications and written descriptions of the Project.
 2. Review necessary field surveys and topographic and utility mapping for design purposes.

3. Advise KLWTD if additional reports, data, information, or services are necessary and assist KLWTD in obtaining such reports, data, information, or services.
4. Review an adjusted opinion of probable cost and make recommendations to the KLWTD.
5. Perform or provide the following additional Preliminary Design Phase tasks: None
6. Receive the Preliminary Design Phase documents and review them with KLWTD.
7. Provide comments, request for additional information and recommendations to CONSULTANT for final inclusion in the Preliminary Design Phase documents.

B. WEC's services under the Preliminary Design Phase will be considered complete on the date when final copies of the Preliminary Design Phase documents have been accepted and approved by the KLWTD.

Final Design

A. After acceptance by KLWTD of the Preliminary Design Phase documents and revised opinion of probable Construction Cost WEC shall:

1. Review final Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor.
2. Review technical criteria, written descriptions, and design data provided by the CONSULTANT for KLWTD's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the Project and assist KLWTD in consultations with appropriate authorities.
3. Advise KLWTD of any adjustments to the opinion of probable Construction Cost and any adjustments to Total Project Costs known to WEC or provided by CONSULTANT.
4. Receive the Final Design Documents and provide comments, request for additional information and recommendations to CONSULTANT for final inclusion in the in the Final Design Phase documents.

B. WEC's services under the Final Design Phase will be considered complete on the date when the submittals have been accepted and approved by the KLWTD.

Summary of Deliverables

- Scaled aerials with Appraisers map overlay for the North Key Largo Area, identifying Hot Spots, existing collection systems, conceptual locations of future pump stations and transmission mains – 2 full size sets and 10 reduced sets.
- Updated cost estimates for service areas identified in Technical Memorandum No. 6 in the North Key Largo area, with updated costs based on unit costs received for projects recently bid in Monroe County.
- Update and Report – Narrative report summarizing activities, assumptions used, conclusions reached. Will include a summary of the project recommendation and the recommended flow at which phasing to the regional WWTP will take place. A conceptual transition plan from skid-mount package plants to the regional plant will be provided. A discussion of the relative merits of Design/Build versus conventional Design/Bid/Build approaches to project implementation will also be included.

- Project Recommendation – for a base project of approximately \$35 M with incremental service areas identified to increase or decrease scope to match the available funding. This recommendation will include a conceptual transition plan from skid-mount package plants to the regional plant.
- Request for Qualifications – assist the District manager and the District Attorney with the preparation of the request for qualifications and to evaluate the respondents and choose the most qualified Consultant.
- Design Review – assist the District and District staff throughout the design and permitting process to evaluate the designs and submittals provided by the successful Consultant.

B. PROJECT COST

The cost of performing the scope of work described for North Key Largo is \$84,835.00. The proposal is lump sum based on the estimated times allocated for each task listed below. If the scope of work is changed, the lump sum cost of the task will be adjusted accordingly.

Task Description	Principal @ \$125	Engineer @ \$105	Engineer @ \$105	El or RPR @ \$85	Sr. Designer @ \$75	Clerical @ \$35	SubTotal
Update Report Phase 1							
Research & Site Investigations	4	16	16	25			\$5,985.00
Identify Existing Systems	1	16	16	24			\$5,525.00
Assumptions & Design Calculations	1	16	16	8			\$4,165.00
Master Plan Reconciliation	2	4	8	8			\$2,190.00
Service Areas Definitions and Estimates	2	8	8	16	20		\$4,790.00
Conceptual WWTP Plans and Estimates	4	40	16	40	32		\$12,180.00
Production of service area plans	1	4	16	0	6		\$2,675.00
Transmission Main Locations and Estimates	1	8	4	2	10		\$2,305.00
Scope of work and supplementary conditions	1	8	8	0		12	\$2,225.00
Request for Proposals Phase 2							
Evaluate responses, check references, etc.	2	10	5	20		4	\$3,665.00
Pre-submittal Meeting	2	8	8	8		4	\$2,750.00
Ranking and recommendations	2	8	8			4	\$2,070.00
Design Review Phase 3							
Design review and comments, 4 submittals	8	64	72	12		2	\$16,370.00
Design review meetings, 4	8	32	32	4		2	\$8,130.00
Status reports to Board	8	40	40	4		2	\$9,810.00
SubTotals	47	282	273	171	68	30	

Total
Cost = \$84,835.00

PROJECT SCHEDULE

Work on this project will be begun on receipt of the executed Work Authorization. The scope of work and submission of the deliverables for Phase 1 and preparation of the RFP for Phase 2 will be completed no later than four (4) calendar months after authorization to proceed. The remainder of phase 2 and phase 3 will progress according to criteria established by the Board and District staff. Progress on the project will be reported at the regularly scheduled KLWTD Board meetings and in the Engineer's Status Report each month.

C. NOTICE/PROJECT MANAGER OF CONSULTANT

R. Jeff Weiler, President
Weiler Engineering Corporation
20020 Veterans Blvd, Ste 7-9
Port Charlotte, FL 33954

Gary Bauman, Chairman
KLWTD
Post Office Box 491
Key Largo, FL 33037

Charles Fishburn, General Manager

Certification that Sufficient Funds are Available:

David R. Miles, Chief Financial Officer

Cris Beaty, KLWTD Secretary

Dated this ____ day of _____, 2004.

KLWTD Board Meeting
July 7, 2004

Item AI 3

**Approval of Amendment No. 1 to
WEC's Contract for
Consulting/Professional Services**

AMENDMENT NUMBER ONE
TO
CONTRACT FOR CONSULTING/PROFESSIONAL SERVICE

THIS AMENDMENT NUMBER ONE to the contract between the Key Largo Wastewater Treatment District (District) and The Weiler Engineering Corporation (Consultant) is effective on June 25, 2004.

WHEREAS, effective August 27, 2003, District and Consultant entered into a written agreement for consulting/professional services services; and

WHEREAS, the parties desire to amend the agreement to reflect a change in the management of the District;

NOW, THEREFORE, the parties agree as follows:

- 1. The District's Representative and System Manager is:

Charles F. Fishburn, General Manager
Key Largo Wastewater Treatment District
P.O. Box 491
Key Largo, Florida 33037

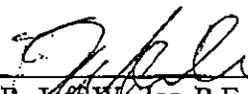
- 2. Consultant shall send invoices to Mr. Fishburn, and shall also send copies to David Miles of Government Services Group, Inc., 280 Wekiva Springs Road, Suite 203, Longwood, FL 32779.

IN WITNESS WHEREOF the parties have signed this amendment on the dates opposite their names:

KEY LARGO WASTEWATER
TREATMENT DISTRICT

WEILER ENGINEERING CORPORATION

By: _____
Gary Bauman
Chairman

By:  _____
Name: R. Jeff Weiler, P.E.
The Weiler Engineering Corporation

Date: _____

Date: 6-25-04

KLWTD Board Meeting
July 7, 2004

Item CFO 1

**Approval of the
Payments Pending List**



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

TO: Key Largo Wastewater Treatment District Board Members

CC: Charles Fishburn, General Manager
Robert Sheets, CEO GSG, Inc.
Faith Doyle, Clerk to the Board
Charles Sweat, Director of Operations
Thomas Dillon, Board Attorney

FROM: David R. Miles, Director of Finance

DATE: June 29, 2004

RE: Pending Payments Key Largo Wastewater Treatment District

Dear Commissioners:

This agenda item is designed to provide an update on the financial status of the Key Largo Wastewater Treatment District. As of June 29, 2004 the District had \$48,862.51 in its bank account. We have \$35,621.69 in invoices and payroll payments in-hand for payment by July 21, 2004. Exhibit A is the list of currently outstanding invoices pending payment. As requested by the Board at the January 14, 2004 meeting, separate accounting of cash balances are shown as follows as of June 8, 2004:

Administration & Operations:	\$175,047.23
Key Largo Park:	(47,014.58)
Key Largo Trailer Village:	<u>(79,170.14)</u>
Total	\$ 48,862.51

A request for \$129,607.00 for Monroe County matching funds for use in the Key Largo Park project, submitted March 23, 2004 is still pending. A follow-up letter was sent May 27, 2004. We have also followed up numerous times with George Garratt telephonically. This funding is essential to get the KL Park cash flow in the black.

Draw Request number 3 in the amount of \$41,390.28 for the FY 2004 MSTU funds was submitted to Monroe County on May 28, 2004 covering March, April and May disbursements by the District. Payment by the Monroe County Clerk of Court is expected to be made on June 30, 2004.

Board of Commissioners: Chairman Gary Bauman, Andrew Tobin, Cris Beaty, Charles Brooks, Jerry Wilkinson

A request was prepared to draw down an additional \$450,000 advance from FKAA in FEMA Phase I funds in order to meet significantly larger draws from the Haskell Company. FKAA has informed the District that Miles Anderson of DCA has directed that no additional Phase I draws will be paid by FKAA to KLWTD, since the Phase II agreement is in the hands of the KLWTD. I have confirmed that with Miles Anderson. He is on vacation this week, but called to set up a meeting with the financial staff during the week of July 12 to discuss closeout of FEMA Phase I and drawdown of FEMA Phase II funds.

I have obtained the following information, current as of June 29, 2004 from the Monroe County Clerk of Courts Office pertaining to the status of the Key Largo WWTD MSTU funds:

Balance Collected to Date by Clerk:	\$ 763,863.63
Less Five Percent (5%) statutory deduction	- 38,193.18
Less Three Percent (3%) tax collector fee	- <u>22,915.91</u>
Net Available to KLWTD	\$ 702,754.54
Less Payments Received to Date	- <u>297,287.50</u>
Balance Forward Available	\$ 405,467.04
Less Draw #3 Pending Payment by Clerk	- <u>41,390.28</u>
Balance Available for June 1 and Later Expenses	\$ <u>364,076.76</u>

Key Largo Wastewater Treatment District
Payments Pending, July 7, 2004
 Prepared June 29, 2004

Date of Invoice	Vendor	Invoice #	Description	Payment Category	Invoice Amount	Date Due	Date Paid
Cash Balance Forward for Administration & Operations					\$	175,047.23	
Total Available					\$	175,047.23	
06/04/04	Bell South	305453-17100010449	Telephone Bill June 4-July 3	1	\$ 44.38	7/4/04	
06/10/04	Bell South	305451-51058040446	Telephone Bill June 10-July 9	1	38.08	7/1/04	
06/04/04	Governmental Services Group, Inc.	03021-7758	KLWWTDD Management Fee for May 2004	1	10,800.00	Upon Receipt	
06/23/04	June Rent	None	June rent to be paid to George Scott	1	700.00	Upon Receipt	
06/23/04	July Rent	None	July rent to be paid to George Scott	1	700.00	Upon Receipt	
06/23/04	Labor Office Furniture Move	None	Paid by Chuck Fishburn	1	60.00	Upon Receipt	
06/23/04	Supplies and Equipment, Misc.	None	Paid by Chuck Fishburn, computer, laser copier, etc.	1	2,109.15	Upon Receipt	
06/30/04	Andrew Tobin	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Gary Bauman, Chairman	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Cris Beaty	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Charles Brooks	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Jerry Wilkinson	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Chuck Fishburn, General Manager	Payroll	June 2004	1	7,667.00	07/06/04	
06/30/04	Internal Revenue Service	FICA & Medicare	Employer Share, Payroll Taxes	1	861.93	07/06/04	
Total Invoices for Administration & Operations					25,980.54		
Balance Forward if All Admin & Operations Invoices Paid					\$	149,066.69	
Cash Balance Forward for Key Largo Park					\$	(47,014.58)	
06/29/04	Weiler Engineering Corp.	35323	May 26-June 22, 2004 Invoice KL Park	2	\$ 3,987.50	Upon Receipt	
Total Invoices for Key Largo Trailer Park					\$	3,987.50	
Balance Forward if All Key Largo Park Invoices Paid					\$	(51,002.08)	
Cash Balance Forward for Key Largo Trailer Village					\$	(79,170.14)	
06/29/04	Weiler Engineering Corp.	35324	May 26-June 22, 2004 Invoice KL Trailer Village	3	\$ 5,653.65		
Total Invoices for Key Largo Trailer Village					5,653.65		
Balance Forward if All Key Largo Trailer Village Invoices Paid					(84,823.79)		
Total All Invoices					\$	35,621.69	

Approved for Payment:

 Gary Bauman, KLWTD Chair

 Cris Beaty, KLWTD Secretary

 Date

Payment Category Key:

1- District Administration

2- Key Largo Park Construction

3- Key Largo Trailer Village Construction

**KLWTD Board Meeting
July 7, 2004**

Item CFO 2

**Status of the Annual Budget
Process**



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

TO: Key Largo Wastewater Treatment District Board Members

CC: Charles Fishburn, General Manager
Faith Doyle, Clerk to the Board
Thomas Dillon, Board Attorney

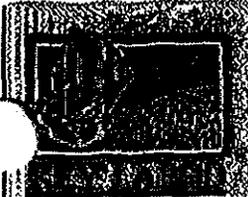
FROM: David R. Miles, Director of Finance

DATE: July 1, 2004

RE: FY 2005 Budget Preparation

Dear Commissioners:

Attached is a copy of approved Resolution 2003-19, which provided Operating and Capital Budgets adopted by the Board of Directors for the fiscal year ending September 30, 2004 for your review. This budget will be used as a guide to prepare the FY 2005 Operating and Capital Budgets. The first draft of the proposed FY 2005 Budget will be presented for the Board's consideration at the July 21, 2004 Board of Directors meeting.



**KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105**

TO: Key Largo Wastewater Treatment District Board Members

CC: David R. Miles, Chief Financial Officer
Faith Doyle, Clerk to the Board
Charles Sweat, Director of Operations
Terry Lewis, Board Attorney
Amy Dukes, Board Attorney

FROM: Robert E. Sheets, General Manager

DATE: September 10, 2003

RE: FY 2003-2004 Budget Adoption

Dear Commissioners:

Attached is Resolution 2003-19, which provides the proposed Operating and Capital Budgets for adoption by the Board of Directors for the fiscal year that starts October 1, 2003 and ends September 30, 2004. This budget was advertised in the Key West Citizen on September 5, 2003 as required by law, and in the Free Press on September 3, 2003 for the convenience of the Key Largo residents. Proofs of publication are attached to the resolution as Exhibit C.

The Operating Budget provides for estimated revenue and balances forward of \$614,022 and estimated expenses of \$528,853. The Capital Budget for Key Largo Park provides for estimated revenue of \$3,598,957 and estimated expenses of \$3,598,957. The Capital Budget for Key Largo Trailer Village provides for estimated revenue of \$9,000,001 and estimated expenses of \$8,983,187. The total budget for FY 2003-2004 is therefore \$13,212,980 in estimated revenue and balances forward and \$13,110,997 in estimated expenses.

RECOMMENDATION:

The Board is requested to approve the FY 2003-2004 budget through passage of resolution 2003-19.

Board of Directors: Chairman Andrew Tobin, Gary Bauman, Cris Beaty, Charles Brooks, Jerry Wilkinson

RESOLUTION NO. 2003-19

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT ADOPTING THE BUDGETS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2004 FOR THE DISTRICT LOCATED IN MONROE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR THE MANAGER TO EXPEND FUNDS ON BEHALF OF THE DISTRICT; PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

BE IT RESOLVED BY THE KEY LARGO WASTEWATER TREATMENT DISTRICT:

SECTION 1. DISTRICT.

(A) Pursuant to Chapter 2002-337, the Laws of Florida, Relating to Establishment of the Key Largo Wastewater Treatment District, dated May 23, 2002, the Board of Directors of the Key Largo Wastewater Treatment District (the "Board") has all the power to carry out the purposes of the Statute. Such powers include the District to acquire, construct, own, manage and operate, contract for management and operational services, dispose of, improve, expand and to have exclusive control and jurisdiction over wastewater utility production, treatment, collection, distribution and disposal facilities and systems within Key Largo, Monroe County, Florida.

(B) Government Services Group, Inc. (the "Manager"), or its assignee, has been engaged to provide management services to the Key Largo Wastewater Treatment District (the "District "). Robert E. Sheets and David R. Miles, as employees of Government Services Group, Inc., have been respectively designated by the Board to act as the Manager and Chief Financial Officer on behalf of the District .

(C) Pursuant to the Chapter 189.417, Florida Statutes notice of the meeting in which the annual budget is to be adopted was published at least seven (7) days prior to the date of the hearing. The proofs of publication are attached hereto as Exhibit C.

SECTION 2. ADOPTION OF THE BUDGET AND AUTHORIZATION TO EXPEND FUNDS.

(A) The Key Largo Wastewater Treatment District KLWTD Utility System Operating Budget, and Capital Improvement Program Budget for the Fiscal Year ending September 30, 2004 attached hereto as Exhibits A, and B, respectively, are incorporated herein and are hereby adopted. Collectively, the Operating Budget and the Capital Improvement Program Budget shall be hereinafter known as the "Budgets."

(B) The Manager is hereby authorized to expend funds of the District for official purposes in the operation, maintenance, billing, customer services, construction, debt service payment, capital improvements and other business activities of the District in accordance with the adopted Budgets.

(C) No contract or other commitment of funds, written or verbal, shall be entered into without the approval of the Chief Financial Officer, as to availability of sufficient budget and current or projected availability of cash. When such approval is given, the Chief Financial Officer shall so indicate this action in the financial records of the District so as to restrict those funds from being used for other expenditures prior to the completion of the commitment for which the funds were approved. The Chief Financial Officer may adjust the actual restricted amount as he determines that such a change is warranted due to the activities related to the commitment.

(D) The Operating Budget contains the following categories of Operating Revenue, Operating Expenses, and Non-Operating Expenses. The amounts shown within such categories are established as a target level for each specific type of revenue or expenditure indicated. Recognizing that the items listed in the Budgets may actually be higher or lower than those estimated, the Chief Financial Officer is authorized to reallocate the adopted Budgets within each category. Allocation of funds from one category to another is prohibited. Unless otherwise provided herein, or by an amending resolution adopted by the Board, only the Board is authorized to increase the budgeted amounts for a category.

(E) The Manager is authorized to spend funds not in the Budgets in the event of an emergency related to the KLWTD Utility System which is reasonably believed may result in danger or injury to persons, damage to assets of the District, or the material loss of the District to provide wastewater services. As quickly as possible, the Manager or Chief Financial Officer shall report to the Chairman any such actions taken or to be taken in such circumstances. However, such communication shall occur no later than 24 hours after such actions or events.

(F) The Chief Financial Officer shall notify the Board when he determines that the actual revenues of a utility system are likely to be significantly less than those

indicated in the adopted Budgets and shall also prepare proposed revised Budgets for the Board's review and consideration.

(G) Pursuant to Resolution 2003-18, any contract in excess of \$2,500, other than emergency contracts as provided in Section 2(E) of this Resolution, must be approved by the Board prior to entering into such contract.

(H) Pursuant to Resolution 2003-18, any work order equal to or in excess of \$2,500, for a professional services contract previously approved by the Board, must be approved by the Board prior to accepting such a work order. Those work orders less than \$2,500 for such contracts do not require prior Board approval but will be presented to the Board for ratification.

(I) The Board authorizes the Manager and Chief Financial Officer to do all acts and things required of them by this Resolution and the Budget, for the full, punctual and complete performance thereof, and the Chairman and each member of the Board, officers, attorneys and other agents of the District are hereby authorized and directed to execute and deliver any and all papers and instruments and to do and cause to be done all acts and things necessary or proper for carrying out the Budgets and transactions contemplated by this Resolution, or Florida Statutes.

SECTION 3. APPLICABILITY AND EFFECTIVE DATE. This Resolution shall be liberally construed to effect the purposes hereof and shall take effect on October 1, 2003.

PASSED AND DULY ADOPTED at the meeting of the Board of the Key Largo Wastewater Treatment District, on the 17th day of September, 2003.

KEY LARGO WASTEWATER TREATMENT DISTRICT

ATTEST:

BY: _____
Chairman

Secretary-Treasurer

Exhibit A

Key Largo Wastewater Treatment District

Five Year Operating Forecast

	Estimate FY 2003	Forecast			
		FY 2005	FY 2006	FY 2007	FY 2008
OPERATING REVENUE					
Wastewater System Fees	\$ -	\$ 6,300	\$ 263,340	\$ 263,340	\$ 263,340
MSTU Revenue	-	617,548	636,075	655,157	674,803
Interest Income	200	5,300	12,100	20,400	20,800
Loan Proceeds	100,000	-	-	-	-
Grant Proceeds	250,425	-	-	-	-
Miscellaneous	2,000	3,000	3,500	4,000	4,500
Subtotal Operating Revenue	\$ 352,625	\$ 632,148	\$ 915,015	\$ 942,897	\$ 963,443
NON-OPERATING REVENUE					
Capital Recovery (connection impact) Fees	-	81,000	1,611,900	-	-
Subtotal Non-Operating Revenue	-	81,000	1,611,900	-	-
Total Revenues	\$ 352,625	\$ 713,148	\$ 2,526,915	\$ 942,897	\$ 963,443
OPERATING EXPENSES					
Board Expenses					
Board Meetings Compensation	36,900	45,000	45,000	45,000	45,000
Payroll Taxes	2,800	3,500	3,500	3,500	3,500
Copy/Delivery Charges	8,000	8,200	8,450	8,700	8,950
Postage	2,700	4,400	4,530	4,675	4,800
Insurance	7,500	12,000	12,360	12,730	13,110
Bad Debts	-	100	2,630	2,630	2,630
Miscellaneous	1,200	1,850	1,900	1,960	2,020
Newspaper Legal Ads	1,800	2,975	3,075	3,170	3,260
Office Supplies	500	825	850	875	900
Dues & Subscriptions	175	325	350	375	400
Travel	2,500	4,600	4,700	4,850	5,000
Rents & Leases	-	7,400	7,625	7,850	8,100
Telephone	300	620	640	660	680
Utilities	-	2,225	2,300	2,370	2,440
Regulatory/Permit Fees	500	2,000	2,000	2,000	2,000
Reserve for Contingencies	40,500	7,893	12,017	16,266	20,642
Operating and Management Services					
Operations & Maintenance Contract	-	4,500	190,850	196,575	202,475
Billing & Customer Service Contract	-	550	23,125	23,820	24,530
Management Contract	77,300	129,600	129,600	129,600	129,600
Professional Services					
Legal - General Counsel	100,000	61,800	63,654	65,564	67,531
Legal - Litigation Reserve	-	49,440	50,923	52,451	54,024
Utility Rate Consultant	15,000	-	-	-	-
Engineering Services	32,000	-	-	-	-
Audit Fees	10,000	10,600	10,900	11,200	11,560
Lab Services	-	1,000	5,000	5,150	5,300
Grant Specialist	-	27,810	28,644	29,504	30,389
Special Projects	-	125,660	129,430	133,313	137,312
Computer Support	-	5,000	5,000	5,000	5,000
Total Operating Expenses	339,675	519,873	749,054	769,787	791,153
NON-OPERATING EXPENSES					
Capital Expenditures from Operating Account	5,000	7,000	7,000	7,000	7,000
Renewal and Replacement Transfer	-	4,385	13,167	13,167	13,167
Debt Service Transfer (Monroe County \$100,000 Loan)	-	21,525	21,525	21,525	21,525
Total Non-Operating Expenses Paid From Operating Revenue	5,000	32,890	41,692	41,692	41,692
Debt Service Transfer (Monroe County FEMA Match- \$914,285)	-	-	-	91,429	91,429
Total Non-Operating Expenses Paid From Non-Operating Revenue	-	-	-	91,429	91,429
Total Non-Operating Expenses	5,000	32,890	41,692	133,121	133,121
Total Expenses	\$ 344,675	\$ 552,763	\$ 790,746	\$ 902,908	924,274
Total Operating Surplus	7,950	79,386	124,270	131,418	130,598
Total Non-Operating Surplus (Deficit)	-	81,000	1,611,900	(91,429)	(91,429)
Total Fund Surplus/(Deficit)	7,950	160,386	1,736,170	39,989	39,169
Cumulative Fund Surplus	7,950	245,545	1,981,715	2,021,704	2,060,873

Exhibit B

Key Largo Capital Budget
FY 2003-FY 2005
Prepared June 16, 2003

	Key Largo Park	Key Largo Trailer Village	Total
Revenue (Sources of Funds):			
Federal:			
FEMA Phase I	-	1,097,143	1,097,143
FEMA Phase II	-	4,388,571	4,388,571
Subtotal Federal:	\$ -	\$ 5,485,714	\$ 5,485,714
State:			
FDEP	1,660,000	-	1,660,000
FDEP II	187,312	-	187,312
SFWMD	-	100,000	100,000
DCA- Cess Pit Grant	690,445	535,155	1,225,600
DCA- Unmet Needs	-	914,286	914,286
Subtotal State:	\$ 2,537,757	\$ 1,549,441	\$ 4,087,198
Local:			
304 Fund FEMA Phase 1&2 Match	-	914,285	914,285
148 Fund	356,000	-	356,000
304 Cess Pit Fund	705,200	224,327	929,527
304 Land Purchase	-	826,234	826,234
Subtotal Local:	\$ 1,061,200	\$ 1,964,846	\$ 3,026,046
Total Funds Available:	\$ 3,598,957	\$ 9,000,001	\$ 12,598,958
Expenses (Proposed Uses):			
Construction:			
Vacuum Collection System Construction	1,097,000	5,311,489	6,408,489
Tie-in To Trailer Village/Vacuum Valves	60,000	-	60,000
Proportion Share KL Village WWTP	600,000	2,058,511	2,658,511
Future Construction	1,336,957	-	1,336,957
Subtotal Construction	\$ 3,093,957	\$ 7,370,000	\$ 10,463,957
Management/Design:			
Planning, Design, Permitting, & Bidding	355,000	386,953	741,953
Construction Management & Administration	150,000	400,000	550,000
Land Purchase	-	826,234	826,234
Subtotal Management/Design	\$ 505,000	\$ 1,613,187	\$ 2,118,187
Total Estimated Project Costs	\$ 3,598,957	\$ 8,983,187	\$ 12,582,144
Balance Available:	\$ -	\$ 16,814	\$ 16,814

Exhibit C

NOTICE OF BUDGET HEARING

18215

The Key Largo Wastewater Treatment District will hold a public hearing on September 17, 2003 at 4:00 pm at the Key Largo Civic Club, 209 Ocean Bay Drive, Key Largo, Florida for the purpose of accepting public input on the FY 04 budget. Following completion of the public hearing, a final decision will be made on the budget.

FLORIDA MONROE

Authorized signatory personally appeared Randy G. Erickson, who is Vice-President of Advertising Operations of the Key West Citizen newspaper published in Key West, in Monroe County,

to which is attached copy of advertisement, being a legal notice in the matter of Notice of Budget Hearing

In the _____ Court, was published in said newspaper in the issues of September 5, 2003

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida every day and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

[Signature]
Signature of Affiant

Sworn and subscribed before me this 8 day of September, 2003

[Signature]
Mary Beth Canitano, Notary Public

Expires: January 15, 2007

Notary Seal



Personally Known x Produced Identification _____
Type of Identification Produced _____

INTERNET PUBLISHING
keywest.com
keynews.com
floridakeys.com
key-west.com
Web Design Services

NEWSPAPERS
The Citizen
Southernmost Flyer
Solares Hill
Big Pine Free Press
Marathon Free Press
Islamorada Free Press
Key Largo Free Press
Ocean Reef Press
Seaport Log

MAGAZINE
The Menu
Home Guide
Citizen Local's Guide
Paradise
Keys TV Channel Guide

MARKETING SERVICES
Commercial Printing
Citizen Locals Card
Direct Mail

FLORIDA KEYS OFFICES
Printing / Main Facility
3420 Northside Drive
Key West, FL
33040-1800
Tel 305-282-7777
Fax 305-294-0788
citizen@keywest.com

Internet Division
1201 White Street (Suite 103)
Key West, FL
33040-3328
Tel 305-292-1880
Fax 305-294-1699
salos@keywest.com

Middle Keys Office
6363 Overseas Hwy
Marathon, FL (MM 52.5)
33060-3342
Tel 305-743-8766
Fax 305-743-8977
navigator@floridakeys.com

Upper Keys Office
81548 Old Hwy
PO Box 489
Islamorada, FL (MM 81.5)
33038-0489
Tel 305-664-2266
Fax 305-664-8411
freepress@floridakeys.com

Ocean Reef Office
3A Bannockburn Lane
Key Largo, FL 33037
Tel 305-367-4911
Fax 305-367-2191

NOTICE OF BUDGET HEARING

The Key Largo Wastewater Treatment District will hold a public hearing on September 17, 2003 at 4:00 p.m. at the Key Largo Civic Club, 209 Ocean Bay Drive, Key Largo, Florida for the purpose of accepting public input on the FY 2004 budget. Following completion of the public hearing, a final decision will be made on the budget.

September 3, 2003 2:56 PM

Key Largo Wastewater Treatment District Budget FY 2004

	FY 2004		FY 2003-2005 Capital Program	
	Operating Budget	Key Largo Park	Key Largo Trailer Village	Total
Balances Forward:	\$ 7,960	\$ -	\$ -	\$ 7,960
Revenue (Sources of Funds):				
Federal:				
FEMA Phase I	-	-	1,097,143	1,097,143
FEMA Phase II	-	-	4,388,571	4,388,571
Subtotal Federal:	\$ -	\$ -	\$ 5,485,714	\$ 5,485,714
State:				
FDEP	-	1,660,000	-	1,660,000
FDER/JI	-	187,312	-	187,312
SFWMD	-	-	100,000	100,000
DCA Cess Pit Grant	-	690,445	535,155	1,225,600
DCA Unmet Needs	-	-	914,286	914,286
Subtotal State:	\$ -	\$ 2,537,757	\$ 1,549,441	\$ 4,087,198
Local (Monroe County):				
MSTU (0.35 mil)	599,562	-	-	599,562
304 Fund FEMA Phase I & 2 Match	-	-	914,285	914,285
148 Fund	-	356,000	-	356,000
304 Cess Pit Fund	-	705,200	224,327	929,527
304 Land Purchase	-	-	826,234	826,234
Interest	4,500	-	-	4,500
Miscellaneous	2,000	-	-	2,000
Subtotal Local:	\$ 606,062	\$ 1,061,200	\$ 1,964,846	\$ 3,632,108
Total Funds Available:	\$ 614,022	\$ 3,598,957	\$ 9,000,001	\$ 13,212,980
Expenses (Proposed Uses):				
Operating:				
Board Salaries	45,000	-	-	45,000
District Expenses	53,428	-	-	53,428
Operating & Management Services	129,600	-	-	129,600
Professional Services	272,300	-	-	272,300
Subtotal Operating	500,328	-	-	500,328
Non-Operating:				
Debt Service County Loan	21,525	-	-	21,525
Capital Expenses	7,000	-	-	7,000
Subtotal Non-Operating	28,525	-	-	28,525
Construction:				
Vacuum Collection System Construction	-	1,097,000	5,311,489	6,408,489
Tie-in To Trailer Village Vacuum Valves	-	60,000	-	60,000
Proposition Share KL Village WWTP	-	600,000	2,058,511	2,658,511
Future Construction	-	1,328,057	-	1,328,057
Subtotal Construction	-	3,085,057	7,370,000	10,455,057
Management/Design:				
Planning, Design, Permitting, & Bidding	-	35,000	386,953	421,953
Construction Mgt. & Administration	-	150,000	400,000	550,000
Land Purchase	-	-	826,234	826,234
Subtotal Management/Design	-	505,000	1,613,187	2,118,187
Total Estimated Expenses	\$ 528,853	\$ 3,598,957	\$ 8,983,187	\$ 13,110,997
Balance Available Forward:	85,169	-	10,814	101,983
Total Expense & Balance Forward	\$ 614,022	\$ 3,598,957	\$ 9,000,001	\$ 13,212,980

KLWTD Board Meeting

July 7, 2004

Item GM 1

Status of the Clerk Position

Jeannette Bates

Jeanette Bates - 009 23332

Education Charter College, Anchorage - Automated Bookkeeping Associate Certificate, Graduated January 1992, Dean's List with 4.0 GPA
University of AK Fairbanks and Juneau - Written Communication, Computer, Outdoor Survival, ETT, EMT - 1979 - 1987

Experience/Skills Office Management Executive & Legal Secretary
Administrative Assistant Prioritization
Interviewing/Investigation Public Relations
Computer Literate Bookkeeping/Reconciliation
Program Databases Personnel Tasks
Design Spreadsheets Payroll

Personal Attributes Task and Detail Oriented Maintain sense of humor under pressure
Natural sense of Priorities Work well independently
Very Organized Work well w/co-workers
Confidential/Loyal Dependable
Professional Excellent Work Habits

Current Employment General Manager, Coconut Cove Resort and Marina

Prior Employment  Administrative Assistant, Valley Hospital, Quality/Risk Management
 Executive Secretary to the Director of Management, State Department of Natural Resources, Records Custodian for the Department
 Office Manager - Professional Teaching Practices Commission
 Legal Secretary - U.S. District Court for Honorable Judge Frye, State of Oregon
 Caseworker for State Division of Public Assistance's Energy Assistance Program
 Bookkeeper - Providence Anchorage Anesthesia Medical Group
 Bookkeeper, Creekside Plaza Inc & Family Fitness & Fun
 Billing Clerk, Admitting Clerk, Assistant to Physician, Dr. Pamela Hill
 CBX operator, Valley Hospital
 Admitting Clerk, Valley Hospital
 Cashier, Patient Accounts, Valley Hospital

Volunteer experience Court Appointed Special Advocate- Palmer
Emergency Medical Technician/Firefighter - Juneau

References Doris Lum, former Safety Officer, Valley Hospital, 746-8771
Phyllis McIntosh, QRM Manager, Valley Hospital, 746-8770
Erica Cracker, Guardian ad litem, 745-5679, 745-5722 fax

Lissette Lopez

LISSETTE LOPEZ
94825 OVERSEAS HWY
KEY LARGO, FLORIDA. 33037
305-852-3396

- OBJECTIVE:** Seeking a mutually beneficial position where my skills, abilities, motivation and background would contribute to the growth and profitability of my employer.
- EXPERIENCE:** Onyx Waste Services
Administrative Assistant / Office Manager
Islamorada, Florida.
- Aug 2003-Present** Responsible for assisting the General Manager with all management duties. Screening new applicants, motivating existing staff. Review route sheets daily to insure their accuracy, Determining work priorities and scheduling employees accordingly. Ensuring highest level of customer satisfaction with over 3000 residential account and 300 commercial accounts. Review all service agreement for completion. Check all files for compliance. Prepare check log for accounting department. Handle all bank relations.
- EXPERIENCE** Monroe County Housing Authority
Newport Village Property Manger / Section 8 Supervisor
Key Largo, Florida
- Dec 2001- Aug 2003** Responsible for the management of Newport Village Apartment a 5-unit complex funded by HUD for low income resident. Process new tenants, perform annual re-certifications interm rent adjustment and other tenant functions; Conducted all rent collection making cash deposit to the Housing Authority accounts daily during normal rent collection period and as required; making ledger entries in tenant ledgers; preparing monthly balance sheets and report for the Director and local board committee. Process initiation of action for evictions. Maintain the security of all files and other confidential information. Prepare purchase requisitions for supplies needed. Summit articles for the monthly resident newsletters. Assisting the maintenance supervisor with and oversight of all community maintenance and landscape activities and resident violations; Conduct walk though inspections of property or units and coordinating any work orders arising from these inspection.
- Section 8 supervisor oversea the daily operation of all county Section 8 vouchers; maintain current list of all available section 8 vouchers, review application files for completion, scheduling and issuing vouchers though briefings, evaluating units for HQS compliance and completing of all documents to affect a lease up. Solve problems relating to the adrainkstration, management and maintenance of Section 8 units; Perform income rent changes Annual re-certification, Interm, HQS inspections. Prepare and

review all monthly reports to include monthly board reports.
Prepare and review Housing Authority Payments to landlords assuring all files are in compliance before issuing checks. Prepare check log for accounting and sign off on check register when complete.

Accomplishments: Received certification for Property Manger and Section 8 from leading HUD certified schools. Brought Section 8 Program to 100% leased and SEMAP scores to a 96%. Promoted to Supervisor after 4 month in position.

EXPERIENCE: Grand Destinations Travel Agency, Inc.
Owner / Manager
Miami, Florida

Dec 1995 - Feb 2001 Responsible for the full management, administration, and sales of this travel agency: Interviewing, screening and hiring, training, motivating, and reviewing the work of the staff; Determining work priorities and scheduling employees; Planning vacations for clients; Making reservations for cruises, flights, hotels, automobiles, Etc.; Answering questions regarding availability's; Selling and marketing vacation packages to the public; Advising customers of vacation choices and alternatives; Maintaining a current knowledge of availability's prices and seasonal travel opportunities; Compiling complete bookkeeping reports of operation and analyzing results; Opening and closing the establishment; Handling bank relationships. Representing the company at trade shows and travel conventions.

Accomplishment: Built company to successful level.

EDUCATION

Miami Dade Community College

LICENSES AND CERTIFICATIONS

Property Manager (Certificate)

Section 8 Rent Calculation (Certificate)

Community Association Manager (State of Florida Licenses)

LANGUAGES

Fluent in English and Spanish

COMPUTER SKILLS

Windows 95, 98, XP. Word, Excel, Amadens, Wintergrate, Yardi, Trux

COMMUNITY SERVICES & INVOLVEMENT

Upper Keys Wish Granter, Make a Wish Foundation

REFERENCES AVAILABLE UPON REQUEST

Laura Norman

LAURA NORMAN

102 Ocean Shores Drive
Key Largo, FL 33037
Home Phone: 305-453-4622

SUMMARY

- 12 years of cash handling experience
- 8 years of management experience
- 10 years of accounting related experience
- 11 years of bookkeeping experience
- 6 years of collection experience
- Type over 90 w.p.m.
- 10 key over 1,000 k.p.m. by touch
- Notary Public for the State of Florida

WORK HISTORY

Financial Center Manager, Community Bank of Florida 01/03 to 03/04

Duties Included: Telling, collections, mthly/qrtly/yrly reports and audits, balanced and audited vault, teller drawers, ATM, and safe deposit boxes. processed loan applications for retail/commercial loans, funded and closed the loans, opened/closed accounts, wire transfers, merchant services set-up and services, all areas of the new accounts desk, business dev. calls, supervised 5 employees, all manager duties as required, and planned and hosted Chamber events for the Islamorada Chamber.

Rural Route Carrier, United States Postal Service 10/02 to 01/03

Duties Included: Cased and delivered mail for the village of Islamorada, FL.

Assistant Financial Center Manager, Community Bank of Florida 02/01 to 08/01

Duties Included: Telling, opened/closed accounts, collections, mthly/qrtly/yrly reports and audits, balanced and audited vault, teller drawers, ATM, and safe deposit boxes, business dev. calls, supervised 5 employees, merchant services set-up and services, and performed all manager duties.

Financial Service Representative, Moody National Bank 3/16/98 to 10/31/00

Duties Included: Telling, opening and closing accounts, collections, end of month reports, and balancing and auditing vault and teller drawers daily and monthly.

Rural Route Carrier, United States Postal Service 11/97 to 2/98

Duties Included: Cased and delivered mail for the city of Alvin, Tx.

Collector/Loan Processor, Chocolate Bayou FCU 4/97 to 01/98

Duties Included: make collections calls for outstanding debts on credit cards, and loans. I issued repos, input pymts, mail notices, and monthly reports. Processed loans documents, and payments.

Accounting Department Billing Clerk, Allen Holdings Incorporated 3/96 to 4/97

Duties Included: A/P, A/R, data entry and mailing invoices, filing, and yearly reports.

Assistant Customer Service Supervisor, Albertson's Grocery Store 3/93 to 3/96

Duties Included: Supervised 7 cashiers, scheduling payroll, bookkeeping, filing, ran register, reports.

Customer Service Manager, Academy Sporting Goods 12/90 to 03/93

Duties Included: cashiered, reports, scheduling, auditing, supervised 6 employees, all manager duties.

Bookkeeper/Receptionist, Image Technologies 02/87 to 12/93

Duties Included: answered phones, dictation, invoicing, record keeping, filing, reconciled customer stmts.

EDUCATION

Diploma, Clear Creek High School 1986-1990

Accounting Clerk Certificate, Alvin Community College (2 semesters completed)

Marketing for Bankers and Principals of Banking courses completed 2003 @ **Miami-Dade College**

COMPUTER KNOWLEDGE

Word Perfect, Lotus 123, Microsoft Word, Teller Pro, AS400, Windows, Deposit Pro, and Excel.

PERSONAL REFERENCES

Janelle Cowan (501)-278-0815 years known: 8

Laura Perez (305)-394-0931 years known: 3

Paula Ramsey (281)-388-0619

Carol Simpkins

2410 SW Warwick St 661-718-0368
Port Saint Lucie, FL csimpkins@lakeparkflorida.gov
34984

Carol Simpkins

Objective A position where I can maximize my research, organizational and supervisory skills.

Experience April, 2002–Current Town of Lake Park, FL

Town Clerk, Salary \$47,062

Statutory Duties: recording, filing and advertising resolutions, ordinances, and public notices. As supervisor of elections for Lake Park I qualify candidates, provide election materials and ballots, I also organize poll workers and their training. I work with the County Supervisor of Elections organizing the Town's elections.

Non Statutory Duties: provide notary services for the office and the public, process and store all records and contracts (per State Statutes) while making sure that the contracts are current, manage information for the dissemination of public records, record minutes of public meetings, prepare agenda package for town commission, community redevelopment board and marina board.

- Work with the Department Heads to bring departments into compliance with the Records Retention Statutes.
- Set up system for legal storage of Town records
- Set up a cost efficient method for records research
- Work with Commission Advisory Boards, recruitment and administrative support
- Update Clerks pages on Town Web Site, www.lakeparkflorida.gov

Oct. 2001- April 2002 Lyra Productions / America Inc, Tavernier, FL

Assistant to Music Producer/Author, Salary \$42,000

Office Manager, including A/R and A/P. In charge of wholesale and retail sales I U.S. In charge of licensing agreements for foreign sales. I did research on the web on various subjects for books being written. Legal secretarial work and was in charge of tracking royalties.

Sept. 1998 – Oct. 2001 Village of Islamorada, FL

Village Clerk Salary \$42,000

Statutory Duties: recording, filing and advertising resolutions, ordinances, and public notices. As supervisor of elections for Islamorada I qualified candidates, provided election materials and ballots. I contracted back to Monroe County Supervisor of Elections to run the election.

Non Statutory Duties: provided notary services for the office and the public.

process and store all records and contracts while making sure that the contracts were current, managed information for the dissemination of public records, record minutes of public meetings, preparation of agenda package. Was in charge of ordering all office supplies for the Village and processed all accounts payable for the Village.

Islamorada had just been incorporated and for the first two years I also served as the administrative assistant to the Village Manager. I also helped in finance for the first two years.

FEB. 1994 TO SEPT. 1998 City of Homestead, FL

Executive Assistant to Community Development Director, Salary \$25,000

Community Redevelopment Agency & Planning and Grants Associate
Wrote grants, administered CDBG, TIF, & Historic Preservation grants. Representative to Main Street & Pioneer Commerce Park Associations. Assisted in annual budget preparation. Handled department's accounts payables & receivables. Payroll and Accounts Payable.

Community Development & Planning
Administered two (2) TIF Grants

Public Works Department
Preparation of Fleet maintenance budget, processing of work orders, process invoices, preparation of monthly reports and payroll.

Building and Zoning
Recording Secretary for the Planning and Zoning Board, processed invoices, inspections request and inspections results. Secretary to the Building Director and to the Zoning Administrator.

EDUCATION

Certified Municipal Clerk Oct. 1998 to June 2001 International Institute of Municipal Clerk Los Angeles, California. I am currently working on my Master Municipal Clerks certification.

AA from Miami Dade Community College 1990 TO 1992 in Homestead; FL

Graduated with Honors and Distinction

SKILLS

Typist
Computer literate: Word; Word Perfect, Quattro Pro, Excel, Quick Book Pro, Access
Postage Machine. Copy Machine
Binding Machine. Adding Machine
PBX
Dictaphone
Detailed oriented .Well organized
Excellent people skills

AFFILIATIONS

Florida Association of City Clerks
Association of Records Managers & Administrators
International Institute of Municipal Clerks
Palm Beach County Municipal Clerks Association

KLWTD Board Meeting July 7, 2004

Item GM 2

Status of the CFO Position

Martin D. Waits

Martin D. Waits
308 Woods Avenue
Tavernier, FL 33070

305-853-9879

BACKGROUND AND EXPERIENCE SUMMARY

Former Virginia businessman and current local financial executive with extensive hands-on background in accounting, contract administration, purchasing, order entry, inventory control, office supervision, payroll and employee benefits, and general corporate administrative functions, as well as a strong technical background in chemistry and chemical engineering focused in the water treatment industry for over 15 years.

PERSONAL INFORMATION

Age: 64 years
Family: Married 42 years, (3 married children, 7 grandchildren)
Military Service: None
Hobbies: Boating, scuba diving, home improvements

EDUCATION

Central High School, Bay City, MI – 1958

University of Cincinnati, Chemical Engineering – 1963

Illinois State University, MBA (Finance) – 1973

EMPLOYMENT HISTORY

2003 Current Controller, Shrimp Improvement Systems, LLC, Islamorada, FL

Personally responsible for all bookkeeping, financial reporting and administrative functions, including procurement, for a major supplier of genetically engineered larval, post larval and brood stock shrimp to larviculture grow out farms worldwide.

2001 – 2002 Consultant, Carus Chemical Company, Peru, Illinois

Provided general contract management, sales and marketing, and technical assistance to the world's largest potassium permanganate manufacturer regarding their entry into the phosphate water treatment business upon acquiring Technical Products Corporation. (See below) Also various other unrelated engagements.

- 1985 – 2000** **President, Technical Products Corporation, Portsmouth, VA**
- As the majority shareholder and chief administrative officer, personally responsible for management of all financial and administrative functions for a national water treatment company, including laboratory operations and product development.**
- 1981 – 1985** **Director of Finance, VCI Div of Hoechst-Celanese Corporation**
- Responsible for all financial analysis and internal audit activities in a \$150 million division of a multi-national chemical company, with major focus on business development and acquisition/divestiture activities.**
- 1963 – 1981** **Manager of Corporate Financial Analysis, Borden Chemical Company
Plant Manager, PVC blown film operations, Borden Chemical Company
Plant Engineer, caustic/chlorine and sodium silicate mfg, PPG Industries**

Mull & Associates

June 23, 2004



Mr. Gary Bauman
Chairman
Key Largo Wastewater Treatment District
Key Largo, Florida 33037

Dear Mr. Bauman:

As you requested, we have estimated the annual fee for performing the position of Chief Financial Officer for the Key Largo Wastewater Treatment District. As you instructed, we contacted David Miles from Government Services Group, Inc. (GSG). He gave us the number of hours that he and his staff were currently spending in the chief financial officer role. David also informed us that his monthly hours would be increasing from 40 to 50 hours a month when construction started this summer. We have prepared a schedule (attached) which applies both our standard rates and our rates discounted by 20% to these hours. Discounting our rates by 20% results in rates which are \$10 per hour below GSG's for the manager role and \$13 per hour lower for the accounting staff. This approach results in us proposing an annual fee of \$65,600.

It should be noted that the annual budget preparation and audit/financial statement preparation tasks are based on the services performed by GSG last year. This does not include submitting the comprehensive annual financial report for a certificate of achievement from the Government Finance Officers Association. If the Board requests that its CAFR be submitted, we estimate that it would take an additional ten hours of manager time.

We calculated our services at 50 hours a month for all twelve months, which includes time for transition from GSG during the first two months. We then assumed that we would be in the construction phase for the remainder of the year. Furthermore, we will bill you for any expenses separately; however, we estimate that any such expenses should be minimal following the transition period which will probably require us going to Orlando.

We look forward to providing these services to the Key Largo Wastewater District. Please contact me with any questions.

A handwritten signature in dark ink, appearing to read "David S. Andrews", with a long horizontal flourish extending to the right.

David S. Andrews
President
Mull and Associates P.A.

Key Largo Wastewater Treatment District
Grant Compliance/Accounting

	<u>Hours</u>	<u>Rate@100%</u>	<u>Fee</u>	<u>Rate@80%</u>	<u>Fee</u>
<u>Current (40 hours/month)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

<u>As of Construction (8/1or 9/1/04)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	25	\$90	\$ 2,250	\$72	\$ 1,800
Total	<u>50</u>		<u>\$ 6,000</u>		<u>\$ 4,800</u>

<u>Annual Budget Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

<u>Annual Audit-F/S Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

	<u>Total</u>	
	<u>Monthly</u>	<u>Annual</u>
Monthly charge	\$ 4,800	\$ 57,600
Budget preparation (rounded)		\$ 4,000
Audit-financial statement preparation (rounded)		\$ 4,000
		<u>\$ 65,600</u>

KLWTD Board Meeting
July 7, 2004

Item GM 3

**Report on the Calusa Camp Resort
Meeting**



"Excellence in Engineering"

20020 Veterans Boulevard., Suite 7
 Port Charlotte, FL 33954
 (941) 764-6447 ph
 (941) 764-8915 fax

Calusa Camp Summary

Existing System

The condition of the existing wastewater collection system is unacceptable and allows excessive I&I. Reported wastewater flows exceed the potable water consumptive flows by 40%. If the collection system is rehabilitated or replaced, the flow can be accepted. Influent strength is higher than normal, but is acceptable.

It should be noted that a leaky collection system not only lets I&I leak in, it also lets sewage, including nutrients and pathogens, leak out into the surrounding environment. So although properties with existing WWTPs and collection systems in good condition may do less harm to the environment than septic systems and cess pits, properties with leaky collection systems or malfunctioning WWTPs may not be any better.

Connection Options

Alternative Number	Capital Cost to KLWTD	Capital Cost to Property Owners	Capital Cost to Owner (per RV site)	Total Project Cost
1. Vacuum	\$162,000	\$981,500	\$2,674	\$1,143,500
2. Vacuum	\$162,000	\$934,400	\$2,546	\$1,096,400
3	Not recommended			
4	Not recommended			
5. Force	\$475,000	\$683,280	\$1,862	\$1,158,280

- A vacuum main in the right-of-way is less costly to the public, but would require that an internal vacuum system be installed in the park
- A force main in the right-of-way is more costly to the public, but would reduce the costs to the property owners in Calusa Camp by approximately \$750 per lot.
- The cost to owners of individual residential property owners in KLTV and KLP will most likely range from \$3000 to more than \$10,000

Revenue Potential

Revenue will be generated by each EDU, but the EDUs can be calculated in different manners, for example:

- Each RV site can be 1 EDU
- Each RV site represents 75 GPD (from 64-E 6 FAC). This equals 0.45 EDU

- The EDU count can be calculated from the total potable water consumption and be billed like typical commercial accounts.

Some additional information for consideration:

- The cost to the owners of the RV lots includes all work necessary in the park to make the system water tight.
- Each lot owner's share of the total cost ranges from \$1860 to \$2675, depending on the selection of connection method
- KLWTD could offer to accept easements and assume ownership of an internal vacuum system with all new pipe, but I would not recommend assuming ownership of the gravity collection system and pump stations, even after being upgraded.
- Long term costs to the lot owners in Calusa Camp for owning and operating a series of pump stations and force mains and gravity lines should be considered.
- Most wastewater utilities do not provide infrastructure on private property
- FKAA has provided infrastructure on private property at Ocean Isles Fish Camp in the Little Venice project
- FKAA has stated in a public meeting that it will allow commercial properties that consist of single family dwelling units to choose between granting easements and allowing FKAA to install infrastructure on the private property, or to install their own infrastructure. (FKAA would spend public money to install the infrastructure, but then would bill each dwelling unit as a full EDU. If the owner elected to install it's own infrastructure, the property would be billed at a commercial rate based on consumption)

KLWTD Board Meeting

July 7, 2004

Item GM 4

Status of Site Mitigation

County of Monroe

Department of Marine Resources
2798 Overseas Highway, Suite 420
Marathon, Florida 33050
Voice: (305) 289 2507
FAX: (305) 289 2536
Email: garrett-george@monroecounty-fl.gov



Board of County Commissioners
Mayor Murray Nelson, Dist. 5
Mayor Pro Tem David Rice, Dist. 4
Commissioner Dixie Spehar, Dist. 1
Commissioner George Neugent, Dist. 2
Commissioner Charles "Sonny" McCoy, Dist. 3

22 June, 2004

Dr. William Straw
FEMA Region IV
3003 Shamblee-Tucker Road
Atlanta, Georgia 30341

RE: 1249-25, Phase II Key Largo Trailer Village Wastewater Treatment Project

Dear Dr. Straw:

I am writing on behalf of the Key Largo Wastewater Treatment District (District) concerning required mitigation for the removal of up to 2.6 acres of upland habitat and exotic vegetation associated with the construction of a wastewater treatment plant at mile 100.5 Key Largo, Florida as well as the required transferal of remaining open space on the property to an appropriate conservation entity. Particularly, this letter addresses obligations addressed in the Disaster Relief Funding Agreement to be approved and signed by the Key Largo Wastewater Treatment District Board.

The District wishes to convey its intent to purchase, install and maintain approximately 2,600 trees, or the equivalent in restoration value, on several sites located in the Key Largo area. This will be accomplished in accordance with the requirements of Monroe County Code to transplant or replace protected tree species. The total area of the parcels selected for this tree restoration effort will equal or exceed the 2.6 acres allowed for clearing under the Fish and Wildlife Service Biological Opinion (11 June 2001) and the FEMA SFONSI at the Mile Marker 100.5 Treatment Plant site.

The County working with the District has developed a list of sites which it may use to restore upland habitat in the Key Largo area. In discussions with the

District it has been decided that off-site habitat restoration is the best alternative for the entire 2.6 acres. The sites selected as candidate restoration sites actually exceed the 2.6 acres required for the project.

The first is a property located on Plantation Key currently owned by the State. This property is approximately 7.2 acres in area and is comprised of a mix of wetland habitats, hardwood hammock, and exotic plant species. The exotic trees have recently been cleared by the State and they are interested in restoring that portion of the property to hardwood hammock. The total cleared area ready for restoration exceeds 1.0 acres.

Restoration Site No. 1



The second set of parcels is owned by the County and exist adjacent to properties owned by the State as part of the Florida Forever land acquisition program. The site is a little over 1/4 of an acre and is largely disturbed with little

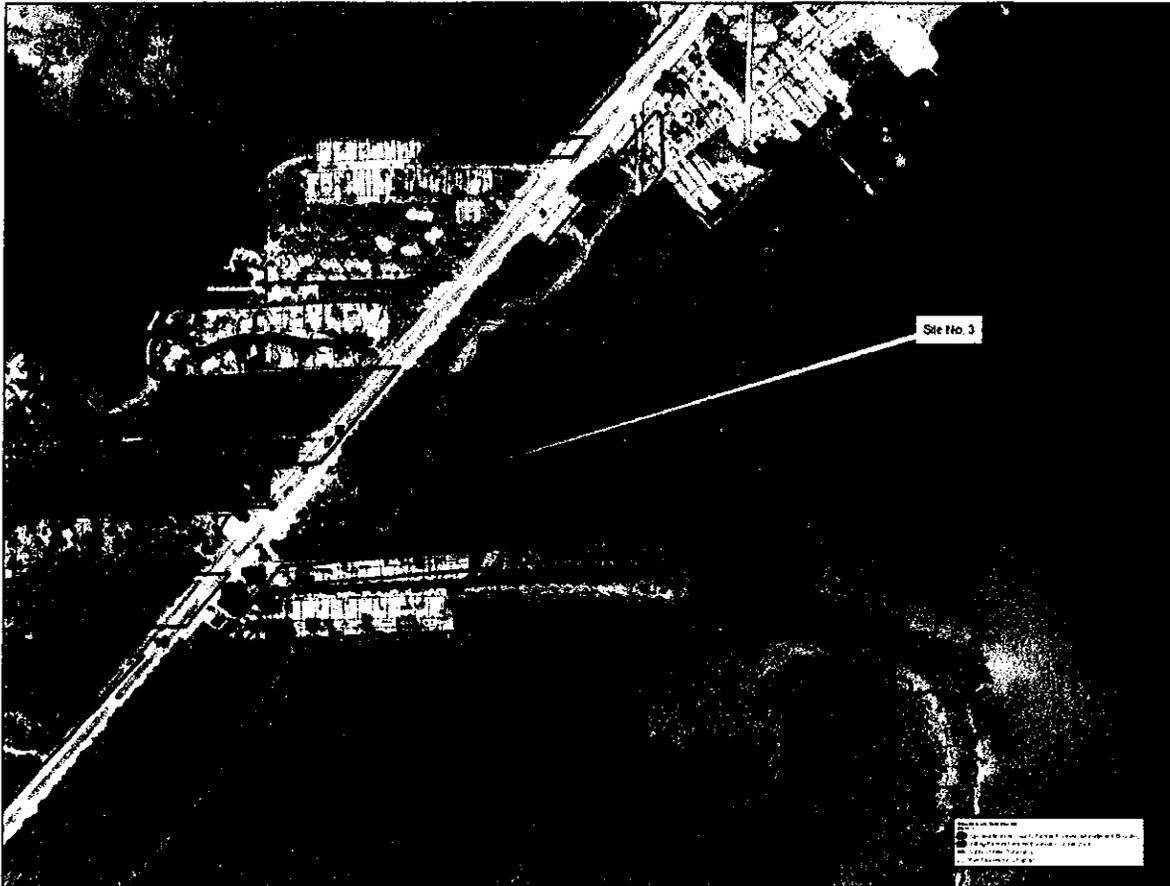
current habitat value. The County is interested in restoring this property to hardwood hammock. The entire 1/4 of an acre is available for restoration.

Restoration Site No. 2



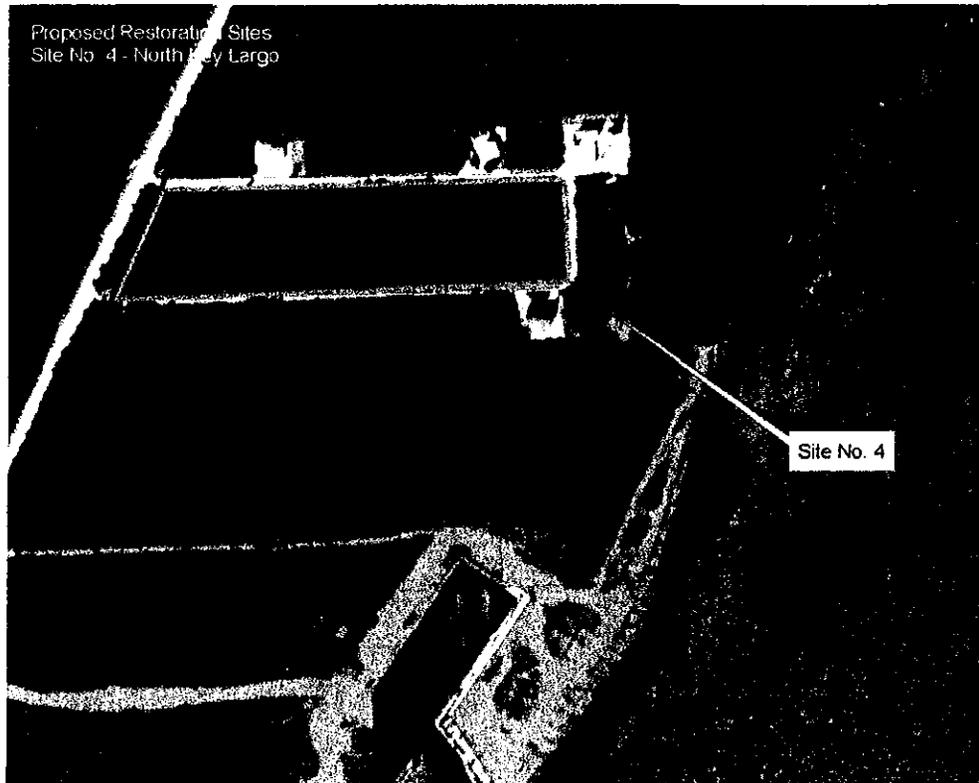
The third property is owned by the State as part of its "Dove Creek Hammock" Florida Forever project. The property is approximately 38 acres and is comprised of a mix of wetlands habitats, hardwood hammock, and disturbed areas. The disturbed area of the property exceeds 2.5 acres and is available for hammock restoration.

Restoration Site No. 3



The fourth site consists of a set of lots owned by the State in Madeira Village subdivision, North Key Largo. The site area is approximately 7.8 acres consisting largely of exotic plant species and remaining native hardwood vegetation. The site is available for hammock restoration. For this property, the state would like assistance in the removal of large volumes of fill rather than the provision and planting of native trees. They have a nursery to provide trees but do not have the funds to remove fill at this time. Restoration funds would be used to prepare this site for hammock restoration which would then be carried out by the State. The entire area needs to be graded to historic elevations.

Restoration Site No. 4



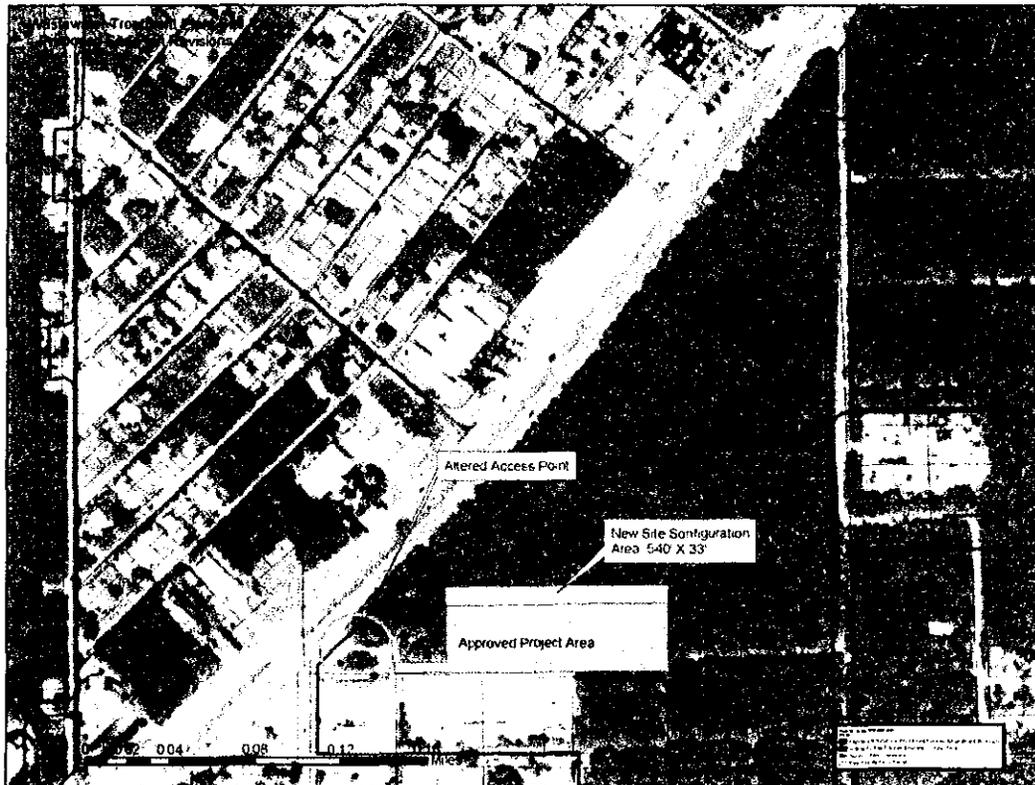
The four sites noted above will serve as the list of properties available to the County to complete required mitigation for the 2.6 acres of habitat and exotic plants allowed to be removed at the Mile Marker 100.5 wastewater treatment plant site. Tentative approvals from the State and the County have been provided for each of the sites noted above which will be formalized in an interagency agreement if necessary

The District also wishes to formalize its desire to modify the acreage figures referenced with respect to the transfer of open space prior to approving and signing the Disaster Relief Funding Agreement. The current form of the agreement indicates that approximately 18.4 acres will be permanently preserved for conservation purposes. The District wishes to amend this number to reflect retaining 20 percent of the property in its ownership (approximately 4.2 acres) while transferring the remaining 80 percent (approximately 16.8 acres) to the County to be preserved and maintained by the County Land Steward. The District recognizes and acknowledges that only 2.6 acres of habitat may be cleared for the project regardless.

Further, the District wishes to modify its access to the site, utilizing a direct access approach to U.S. 1. The area in question is previously scarified and has no native vegetation on it. The area is identified in the graphic depiction below within a green circle. The new access road will extend the current access road to the apex of the property at its southwest corner. The proposed access road to U.S. 1 would be 50 feet in width and accommodate both vehicular access to the site and sewer pipe in parallel.

In addition, the approved construction site plan (as assumed in the Biological Opinion) contemplates utilizing additional area to the east of the Florida Keys Aqueduct (FKAA) property and south of the actual project area shown in blue below. The property to the east of the FKAA site was never purchased. Thus, the site plan being utilized at this time is approximately 2.2 acres not the approved 2.6 acres. The District would suggest extending the bounds of the construction site area an additional 33 feet to the north of its long side creating a wider project area of 540 feet by 208 feet. Currently, the project area is 540 feet by 175 feet (with original access road, approximately 2.2 acres).

Proposed Site Plan Changes to Configuration



With the specific identification of restoration sites and the clarification of the points noted above:

- Conservation acreage, and
- Minor modifications to the approved construction site plan,

the District stands ready to approve and sign the Disaster Relief Funding Agreement. The District awaits your general concurrence with the proposed restoration sites and to the suggested modifications noted. If there are any questions, please feel free to contact me on behalf of the District. Alternatively, the new Executive Director for the District is Chuck Fishburn and their attorney is Tom Dillon. Either will also be available for consultation or discussion.

Sincerely,

George S. Garrett
Director of Marine Resources

**KLWTD Board Meeting
July 7, 2004**

Item GM 5

**Status of System Development
Charge / Rate Study**



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

TO: Key Largo Wastewater Treatment District Board Members
FROM: Charles Fishburn, General Manager
DATE: June 28, 2004
RE: Status of the Rate Study

A. FCAA Wastewater rate Structure

Little Venice – 968 EDU - \$45.00/mo (4,000 gallons)*
Base Charge \$24.80 + \$5.11/1000 gallons

Conch Key – 183 – 626 EDU - \$51.00/mo (4,000 gallons)

Bay Point – 434 EDU - \$54.00/mo (4,000 gallons)

B. Little Venice Projected Operating Costs

Wastewater Treatment Plant expenses	\$250,000/yr
Wastewater Collection System costs	\$ 40,000/yr
Customer Service, Administration & Billing	\$ <u>80,000/yr</u>
Total Operating Costs	\$370,000/yr

(\$32.00/EDU/mo) (Billing \$2.11/bill/mo)

C. Conch Key/Duck Key Projected Operation Expenses

\$302,000/yr (\$40.00/EDU/mo)

D. Bay Point Projected Expenses (Not AWT Treatment Plant)

\$242,000/yr (\$46.00/EDU/mo)

E. Islamorada Wastewater Rate Structure

\$51.00/mo fixed charge per Three Bedroom Home
Each additional bedroom charged at 0.333/EDU
Multi-family and Mobile Homes charged at 0.8/EDU

F. Capital Facilities Charges

- Little Venice \$4,700.00 or \$410/year for 20 years
- Conch Key \$4,700.00 or \$410/year for 20 years (for 183 EDU)
- Bay Point \$4,700.00 or \$410/year for 20years
- Islamorada \$5,000.00(?) \$37.95/mo for 20 years (?) (for 500 EDU?)

Appendix H

Funding and Financing Options

Funding and Financing Options for Wastewater Management Activities in the Florida Keys

The funding and financing options contained in this Appendix identify, in general terms, the range of sources that may be used to fund wastewater treatment activities in the Keys as identified in the MCSWMP and by project applicants (Monroe County, 2000a). The actual funding and financing vehicles used by the project applicant would be project-specific and evaluated in the project-specific SER. As noted in Section 3.6.3, Local Fees and Taxes, the availability of funding and the specific types of financing affect the rates charged to wastewater users.

In general, the various wastewater funding and financing options fall into one of the following categories:

- User fees and charges
- Taxes and assessments
- Grants and contributions
- Redirection of existing Programs or funding
- Financial assistance for low and fixed income users
- Doing more with less

The following describes various funding and financing options associated with each of these categories.

I. USER FEES AND CHARGES

User fees and charges are collected for the provision of the services that provide a specific benefit to a user. Various types of user fees and charges are described below.

Wastewater Rates and Charges

For most utilities, their primary source of revenue is the rate charged to customers. Publicly owned utilities are typically operated as "Enterprise Funds" within the local government's organization. Enterprise funds are intended to be managed like a business, and are typically expected to be self-supporting, although many utilities do receive additional funds from the city or county's general fund. In addition to paying for on going operation and maintenance (O&M) costs, portion of a utility's rate-generated revenues is used to directly fund minor capital programs, as well as to repay the debt service on any outstanding bonds or loans. Rate revenues may be dedicated to a capital reserve account and used to fund annual capital improvements, or may be accumulated until sufficient to fund larger projects. This is the most common method used for funding equipment renewal and replacement requirements. Wastewater may include a minimum or fixed charge that does not vary from billing period to billing period (most frequently month to month), and/or a volume charge that may be based on the user's water consumption or metered wastewater flows.

Appendix H

Funding and Financing Options

Miscellaneous Fees and Charges

Most utilities also charge customers miscellaneous fees for services that the utility may provide, or to provide incentives, such as for prompt payment of bills. These fees are typically designed to recover the utility's costs incurred to provide these specific services, or to recover the costs the utility incurs because of the customers' actions (service line clean outs, lost interest income, etc.).

Connection Fees

Hook-up, tap, or connection fees are charges collected for the new connections to a community wastewater system. In many communities, connection fees are designed to recover just the cost the utility incurs to install the service connection to the sewer main.

Impact Fees

Impact fees, like connection fees, are collected at the time a user connects to the wastewater system. Impact fees are intended to recover the costs the utility incurs to oversize its transmission, treatment, and disposal facilities to provide capacity to serve new users. The intent of these charges is to avoid charging existing customers for the costs the utility is incurring to serve future customers.

Line Extension Fees

Some utility companies charge a fee for extending collection and or transmission lines to serve a new customer's property. This charge, which is generally based on the number of feet that the collection or transmission line must be extended to serve the property, may be collected in addition to the connection and impact fees.

Service Availability Fees

Community water and wastewater utilities frequently require development properties to connect to the system once service is available (i.e., when a collection line has been constructed along their property). In some communities, where the local government has opted not to require a connection to the system, service availability fees have been implemented. The service availability fees are typically designed to recover capital costs that the utility has incurred to make service available to user, which the user is choosing not to exercise. These types of fees are currently being challenged in Florida courts.

II. TAXES AND ASSESSMENTS

Taxes are used to fund activities that do not provide a specific benefit, but provide a more general benefit to the community; the user may not be able to avoid paying the tax. Assessments must show a benefit to the property owned by the user. The various forms of a common taxes and assessments are described in the following section.

Local Improvement District Assessments

The extension of lines to serve existing development is frequently accomplished through the creation of a local improvement district (LID). LIDs are created for the specific purpose of

Appendix H Funding and Financing Options

financing capital improvements (e.g. roads, water lines, sewer lines, street lighting, and/or storm water improvements) to serve a specific area. Once the LID has been created, special assessments bonds can be issued, which are secured by liens on the properties located within the LID. Debt service on the bonds issued to finance the improvements is recovered through annual assessments on the property located in the LID. For the sewer line improvements, a property owner's share of cost of the improvements is frequently based on the front footage of the property along which the sewer line is being laid. For improvements involving more than laying the sewer lines, other bases for the assessment are generally collected in the user's annual property tax bill.

Sales Tax/Local Option Tax

A 1-cent (1-percent) sales tax is used frequently to provide funding for a variety of projects and activities, from schools to highways. Monroe County currently receives revenues from a local option sales tax to fund grants for its cesspool replacement program. Residents, tourist, and businesses all pay a sales tax on purchases made in the County.

Property Tax

Property taxes are assessments charged to real property owners based on a percentage (millage rate) of the assessed property value. These taxes generally support the majority of a county's non-enterprise fund activities. However, the revenues from property taxes can also be used for enterprise fund projects, and have been used in many communities to pay debt service on general obligation bonds issued to finance wastewater system improvements. Because communities are limited in the total of millage rate, use of property taxes to fund wastewater management improvements could limit the county's ability to raise funds for other activities.

Municipal Services Taxing/Benefit Unit

Municipal services Taxing Units (MSTUs) and Municipal service Benefit Units (MSBUs) can be established through annual property taxes or assessments to generate funds for projects. Unlike LIDs, MSTUs and MSBUs can be used to fund both capital and annual O&M costs. *Ad valorem* taxes are generated from MSTUs; special assessments generate funds in MSBUs. The taxes and assessments are levied on property owners. Unlike the process required for raising the millage rate on property taxes, no referendum is required to levy taxes or assessments in an MSBU or MSTU, unless the revenues are used for leveraging bonds. The taxes associated with MSTUs are subjected to the cap on the total millage rate. Therefore, use of MSTU to generate funds would constrain the future taxing ability of the County.

Bed Tax

The bed tax generates revenues from tourists' expenditures at hotels, motels, and short-term lodging. Like a sales tax, a bed is usually based on a percentage of expenditures, however, the tax would be limited to expenditures at a hotel or a motel for lodging, and therefore has little or no direct impact on residents. Monroe County currently collects a 4-percent bed tax, out of which 1% goes to the county land development authority, and the other 3% goes to the county's Tourist Development Council.

Real Estate Transfer Tax

A real estate transfer tax is collected from all sales of real estate in a county. The tax is levied at the time of transfer of real property. These types of taxes may be based on a percentage of assessed value or may be a flat deed registration fee, or both. New property owners would be responsible for paying the real estate transfer tax.

Tax Increment Financing

In areas where publicly financed redevelopment is raising property values, tax increment financing (TIF) can be used to fund new projects. With TIF, the incremental increase in *ad valorem* tax revenues that are a consequence of rising property values (which in turn results from the planned improvements) is dedicated to repaying the debt that financed the capital projects in that area. This approach to funding projects is applicable only in areas undergoing redevelopment.

III. BONDS AND LOANS

Revenue Bonds

Revenue bonds are bonds that are secured by a pledge of the revenues of the utility. The utility issuing bond pledges to generate sufficient revenues annually to cover the systems operating costs, plus meets the annual debt service requirements (principal and interest payment) times a factor, termed the coverage factor, which is designed to provide additional protection to the bondholders. The coverage factor generally ranges from 110 to 150% of the utility's annual or maximum annual debt service requirement in the present or any future year.

General Obligation Bonds

Cities, counties, and special districts generally are able to issue general obligation (GO) bonds that are secured by the full faith and credit of entity. In this case, the local government issuing the bonds pledges to raise its property taxes or use any other source of revenue, to generate sufficient revenues to make the debt service payments on the bonds. A general obligation pledge is stronger pledge than a revenue pledge, and thus must carry a lower interest rate than a revenue bond. Frequently, when local government issue GO bonds for utility improvements, the utility will make the debt service payments on the GO bonds with revenues generated though the utility's rates and charges. However, if those rate revenues are insufficient to make the debt payment, the local government is obligated to raise taxes or use other sources of revenue to make the payments.

Local Improvements District Bonds

LID bonds are secured by a lien on the property in the LID. Debt services payments on these bonds are funded through annual assessments to the property owners in the LID, as discussed previously.

Appendix H Funding and Financing Options

State Revolving Fund Loans

The State of Florida, like most states, operates a state revolving fund (SRF) loan program that offers qualified local governments/utilities below-market-rate loans for wastewater projects. The State Revolving Loan Fund in Florida is administered by FDEP through the Water Facilities Funding Program. It makes low-interest loans available for construction, rehabilitation, and replacement of facilities needed to collect, treat, dispose of, or reuse municipal wastewater. It is a revolving fund because loan repayments are used to make additional loans. Loans are made for a 20-year term, with interest rates set at about 60% of the present market interest rate. SRF loans are generally limited to \$10 million per entity per year

State Bond Loan Program

The FDEP and the Division of Bond Finance of the Department of General services jointly administer the State Bond Loan Program. The program generally issues bonds that are sized to provide sufficient funds to meet the capital financing needs of several communities or entities participating in the program. The state will then loan the bond proceeds to these entities at an interest rate slightly higher than the interest rate that the state is paying on bonds. Frequently, the entities participating in the program are smaller communities or entities without the credit history or capability to enter the bond market on their own. These entities get the benefit of being able to gain lower interest rate than they would be able to obtain on their own.

Commercial Loans

Banks and other financial institutions may make commercial loans to local governments to fund capital projects. For utilities, these loans are typically secured by a pledge of a utility's revenues, but may also carry a general obligation pledge.

IV. GRANTS AND CONTRIBUTION

A number of state and federal grant programs are available to provide funding support for local governments and/or utilities to implement specific aspects of their wastewater management program. Grant monies may also be available to qualified homeowners.

At the time of the release of the PEA, the Village of Islamorada and the FCAA have applied for various federal and state grants for wastewater projects. The program, funding agency, and estimated value of these grants are listed in Table H-1. Additional information about the types of grant programs is described below.

Table H-1: Potential Federal and State Assistance Programs Identified by Project Applicants for Wastewater Projects

Unmet Needs Grant Program	FDCA/FEMA	Village of Islamorada	\$2,300,000 requires local match of \$329,000
Water Advisory Panel	FDEP	Village of	\$900,000

Appendix H Funding and Financing Options

Funding Program		Islamorada	requires local match of \$225,000
Wastewater Project Assistance Program	SFWMD	Village of Islamorada	\$75,000
Unmet Needs Grant Program	FDCA/FEMA	FKAA	\$11,350,906

Source: FEMA Region IV, Village of Islamorada, FKAA

Cesspool Identification and Elimination Grant Program

Monroe County has implemented a grant program to assist homeowners with replacing cesspools. This program provides a grant for at least 62% of the capital cost of an OWNRS. Homeowners whose homes have an assessed value of between \$100,000 and \$200,000 receive an additional grant of \$1,000 over the 62-percent grant amount, or 69% of the total capital costs of these systems. This program is funded through revenues generated from grants from the Florida Department of Environmental Protection and the Florida Department of Community Affairs, as well as from funds from Monroe County's infrastructure sales tax (Monroe County, 2001a).

Water Advisory Panel Grants

The State of Florida created a water advisory panel in Fiscal Year 1999, which administers a grant program that provides funds for projects that: reduce recurring violations of state water quality standards; resolve a public health threat; reduce discharges of pollutants into an impaired water body; and reduce discharges into groundwater supplies. Each project must be sponsored by a local governmental entity, including, but not limited to, a city, county, water and sewer district, or a water management district. The project must be identified in an approved local, water management district, or Department of Environmental Protection water management plans as part of a surface water restoration effort. Priority is given to projects that address an area to be served with a population of less than 7,500 and a median household income of less than the statewide median household income. The project sponsor or grant recipient must provide for at least a 50-percent match of the total project cost. Matches may include funds from other local, state, and federal sources and in-kind contributions. Reductions in the match requirement may be considered, based on a demonstration by the project sponsor of inability to provide the match, to the satisfaction of the panel.

Federal Agencies

A number of federal agencies, in addition to FEMA, have programs that can provide funding to assist in improvements to wastewater management in the Keys. Potential grant funding sources include the Environmental Protection Agency, Department of Interior, Department of Housing and Urban Development, Department of Transportation, and Department of Agriculture. Potential federal grant funding programs are identified in the following table.

Table H-2: Potential Federal and State Assistance Programs Related to Wastewater

Appendix H Funding and Financing Options

<p>Water Quality Cooperative Agreements</p> <p>(Clean Water Act, Section 104(b)(3), Public Law 92-500, as amended; 33 U.S.C. 1254(b)(3))</p> <p>http://www.cfda.gov/static/p66463.htm</p>	EPA	To assist in developing, implementing, and demonstrating innovative approaches relating to the causes, effects, extent, prevention, reduction, and elimination of water pollution.	Project Grants \$5,000 to \$500,000
<p>Wastewater Operator Training Grant Program</p> <p>(Federal Water Pollution Control Act as amended, Section 104(g)(1); 33 U.S.C. 1251 et seq.)</p> <p>http://www.cfda.gov/static/p66467.htm</p>	EPA	To substantially enhance the proficiency of personnel engaged in the operations and maintenance of treatment works and related activities by financing pilot programs	Project Grants \$35,000 for State-wide assistance
<p>Capitalization Grants for State Revolving Funds</p> <p>(Clean Water Act, Public Law 95-217, as amended; Water Quality Act of 1987, Sections 601 through 607, 205(m), Public Law 100-4.)</p> <p>http://www.cfda.gov/public/viewprog.asp</p>	EPA	To create State Revolving Funds (SRFs) through a program of capitalization grants to States which will provide a long term source of State financing for construction of wastewater treatment facilities and implementation of other water quality management activities (see 66.418).	Formula Grants \$10,000,000 to \$216,000,000; average \$30,000,000

Appendix H Funding and Financing Options

	Funding Agency	Program Objectives	Funding Type
<p>Construction Grants for Wastewater Treatment Works</p> <p>Clean Water Act, Public Law 92-500, as amended; Public Laws 97-117 and 95-217; Water Quality Act of 1987, Public Law 100-4; Public Law 96-483; and Public Law 101-144</p> <p>http://www.cfd.gov/static/p66418.htm</p>	EPA	To assist and serve as an incentive in construction of municipal wastewater treatment works which are required to meet State and/or Federal water quality standards and improve the water quality in the waters of the United States.	Project Grants \$10,000 to \$10,000,000; average \$3,000,000.
<p>Water Pollution Control State and Interstate Program Support</p> <p>(Clean Water Act, Section 106, as amended, Public Law 95-217, 33 U.S.C. 1251 et seq)</p> <p>http://www.cfd.gov/static/p66419.htm</p>	EPA	To assist in establishing and maintaining adequate measures for prevention and control of surface and ground water pollution.	Formula Grants \$60,000 to \$9,000,000
<p>Water Reclamation and Reuse Program</p> <p>Reclamation Wastewater and Groundwater Study and Facilities Act, Title XVI, Public Law 102-575, as amended</p> <p>http://www.cfd.gov/static/p15504.htm</p>	Department of the Interior	This Title gives Reclamation general authority to conduct appraisal and feasibility studies on water reclamation and reuse projects. It also provides general authority for research and demonstration programs to test water reclamation and reuse technologies.	Formula Grants Construction funding is limited to 25% of the construction cost or \$20 million per project.

**Appendix H
Funding and Financing Options**

<p>Community Development Block Grants/State's Program</p> <p>Housing and Community Development Act of 1974, Title I, as amended, Public Law 93-383, 88 Stat. 633, 42 U.S.C. 53</p> <p>http://www.cfda.gov/static/p14228.htm</p>	<p>HUD</p>	<p>The primary objective of this program is the development of viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income.</p>	<p>Formula Grants</p>
<p>Community Services Block Grant – Discretionary Awards</p> <p>Community Opportunities, Accountability, Training, and Educational Services Act of 1998, Title II, Section 680, Public Law 105-285.</p> <p>http://www.cfda.gov/static/p93570.htm</p>	<p>HHS</p>	<p>To support program activities of national or regional significance to alleviate the causes of poverty in distressed communities which promote:</p> <p>(among other things) a better standard of living for rural low-income individuals in terms of water and waste water treatment</p>	<p>Project Grants</p> <p>\$75,000 to \$500,000</p>

Direct Federal Funding

For projects with national significance, Congress can appropriate federal funds for certain uses. The Florida Keys Water Quality Improvement Act (FKWQIA) was authorized by U.S. Congress to fund water quality improvements in the Keys through the Water Resources Development Act of 2000. This bill authorized \$100 million to be administered through USACE; however, the funding has not yet been appropriated and its future availability remains uncertain.

VI. FINANCIAL ASSISTANCE FOR LOW AND/OR FIXED INCOME USERS

Several programs are designed to reduce the cost of providing wastewater services to users of limited means, including:

- Lifeline Rates

Appendix H Funding and Financing Options

- Cesspool Replacement Grants
- Assessment Deferral Programs

Lifeline Rates

Some communities provide discounts on the monthly wastewater bills to users who are below certain income levels. A more common practice is to set rates that have a low minimum charge and/or use fee for a minimum ("lifeline") level of service. Higher rates are then collected from users with higher levels of water consumption (and thereby higher estimated wastewater flows).

Cesspool Identification and Elimination Grant Program.

The Cesspool Replacement Program described previously is available to users at 62 to 84% of the cost of the installation of an OWNRS on-site system, based on improved property values.

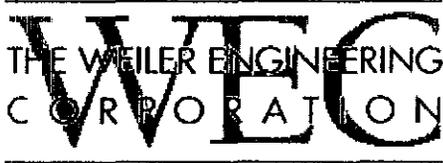
Assessment Deferral Programs

A program could be established to allow low-income and/or fixed-income users who are required to connect to a community wastewater system to defer their costs of connecting to the wastewater system and/or LID assessments until such time as their property is sold. The interest expense on the deferred assessments or connection fees could be paid through a fund established for this purpose. The deferred assessments and connection fees would constitute a lien on the property, which would need to be satisfied upon the sale of the property. External funding would be needed to establish the fund for providing the interest subsidy for these low-income users.

**KLWTD Board Meeting
July 7, 2004**

Item PE 1

Report on the Design Review



"Excellence in Engineering"

20020 Veterans Boulevard., Suite 7
Port Charlotte, FL 33954
(941) 764-6447 ph
(941) 764-8915 fax

Design Submittal Status

The 99% drawings of the collection system were received by WEC on June 25th. WEC reviewed the drawings and submitted written comments to the design review team members on June 29th.

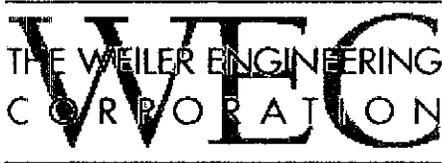
It is expected that the 99% wastewater treatment plant drawings will be received on June 30th.

A design review meeting is tentatively scheduled for Thursday, July 8th, pending approval by all review team members. This date would not allow the full 7 working days for review as provided for in the Design Submittal Protocol, but would reduce the amount of travel required by having the review on the day following the Board meeting. WEC has agreed to this schedule so long as the drawings are delivered no later than June 30th. As of this time, WEC is unaware if any of the other design review team members have been polled.

**KLWTD Board Meeting
July 7, 2004**

Item PE 2

Engineering Status Report



"Excellence in Engineering"

20020 Veterans Boulevard., Suite 7
Port Charlotte, FL 33954
(941) 764-6447 ph
(941) 764-8915 fax

Key Largo Wastewater Treatment District Engineering Status Report Period Ending 06/29/04

Client Issues

Strategic Planning

In April, 2004, the Board adopted the Strategic Planning Framework for the KLWTD, stipulating that it should be revisited and updated every 90 days. This means that an updated version is due in July 2004.

Chuck Fishburn has been hired as the District Manager, replacing GSG. Faith Doyle will remain as the District Clerk until a permanent local replacement can be found. David Miles has similarly been retained.

Future Projects

On the direction of the Board, WEC has generated a proposal to develop a Request for Qualifications to retain the services of an Engineer to design the next sewer project for the KLWTD. The Lake Surprise/Sexton Cove area has been identified by consensus of the Board to be the next area to be sewerred. WEC has prepared a scope of work which includes the preliminary design report and cost projections, the RFQ scope of work, evaluation of the responses, and design review after the contract is issued. A more complete description of WEC's proposal is provided as backup documentation in the July 7th, 2002 agenda package under the appropriate action item.

Key Largo Park Vacant Lots

WEC has been asked to provide an economic evaluation of several construction options in KLP. The cost of providing service to all occupied lots will be estimated using the unit costs from the Higgins contract. Then, reductions in the service area will be considered in order to determine the most beneficial use of the available funds, assuming that the funding is insufficient to sewer all of KLP.

Due to some minor discrepancies between Monroe County records and the 60% design documents, the evaluation was delayed until these differences could be reconciled. Joe Paterniti of Brown and Caldwell performed another site visit to verify the design. Minor corrections have been incorporated into the 99% collection system drawings. Work on the economic evaluation can now begin again.

The Haskell Company has stated that it will provide a cost for including the KLP project under the KLTV contract as a change order. The quantities taken off the new design will be used with the unit prices under the Higgins contract to calculate the base cost. It is understood that The Haskell Company's 5% markup will be applied to this amount. This can be compared with the costs under the Higgins contract as estimated by WEC in its analysis.

Treatment Plant

The wastewater treatment plant permit application was submitted to the FDEP. On review of the application, the FDEP submitted a Request for Information. This is the standard procedure for processing of permit applications. It is understood that Brown and Caldwell is drafting a response to the RFI at this time. Ed Castle discussed the RFI with Will English and Ted Hortenstine on June 25 and has had follow-up conversations with Ted Hortenstine.

It is expected that the 99% WWTP drawings will be received on June 30th, with a review meeting tentatively scheduled for July 8th.

The Haskell Company was requested by the Board to provide a proposed change order to add a second story to the motor control building at the treatment plant site. The second floor could be used as the KLWTD office and as a meeting room. Cost estimates for the change order are currently being developed.

Key Largo Park and Key Largo Trailer Village

The 99% wastewater collection system drawings for the KLTV and KLP projects were received by WEC on June 25th. Comments were prepared and distributed to the review team members on June 29th. These comments are copied below.

**KLWTD Design Review
KLTV and KLP 99% Collection System Drawings**

Sheet	Comment
C1	Add note for separation between gravity sewer mains and water mains
C1	Add note for minimum cover over pipe
C2	Detail E does not reflect Monroe County asphalt repair requirement for overlap
C3	Detail AA, specify drop inlets on manholes where inlet pipe invert is 24" or more above manhole invert
C3	Detail AA, clarify function of upper and lower RoeVac sumps. Would two vacuum valves at the lower invert elevation allow for more air admittance?
C3	Detail AA, specify manhole inflow covers, USA Bluebook 65408 or similar
C3	Detail AA, add specifications for achieving compaction in substrate supporting pea rock fill, especially in areas of silt and peat as discussed in the geotech report
C3	Detail K, service wye shown as horizontal connection. Verify with manufacturer that a vertical connection into main is not preferred.
C6	Verify that all developed lots are served.
C100	General Comments: (May be optional on design, but required on as-builts) <ul style="list-style-type: none"> • Show service lateral elevations on profile

	<ul style="list-style-type: none"> • Show vacuum service line invert elevation on profile • Show invert elevations of valves, reducers, wyes, etc. • Show vacuum pits on profile • Location of service wyes not shown on profile • What is the offset relative to? Must be a permanent, accessible reference point • On some sumps, there appear to be 4 gravity service lines (see C113, Avenue E). Verify that two lines wye together before entering the sump, preferably as close to the cleanouts as practical, similar to detail of service connections.
C101	Show spare 10" line from US 1
C109	Would three more services exceed buffer tank rating? If not, eliminate VC 109-1 and connect these properties to 8" gravity main
C200	General Comments: <ul style="list-style-type: none"> • Some lots that are not shaded (indicating that they are developed) are shown with dashed services (future). Please clarify.

The meeting to review the 99% collection system drawings is currently planned to be held concurrently with the WWTP 99% drawings review with a tentative date of July 8th being set.

Haskell Pay Applications

The Haskell Company Pay Application No. 8 for KLTV and Pay Application No. 2 for the redesign of KLP were processed in the month of June. All requested documentation was provided. A summary of the pay amounts is tabulated below.

Application No. 7

Item	Gross Requested Billing	Gross Approved Billing	Retainage This Period (10%)	Net to Pay as Approved
4. Supervision	\$5,000.00	\$5,000.00	\$500.00	\$4,500.00
5. Travel & Subsistence	\$2,000.00	\$2,000.00	\$200.00	\$1,800.00
13. Permits and Licenses	\$7,850.00	\$7,850.00	\$785.00	\$7,065.00
17. 90% Design Development	\$142,000.00	\$142,000.00	\$14,200.00	\$127,800.00
TOTAL	\$156,850.00	\$156,850.00	\$15,685.00	\$141,165.00

Change Order No. 1, Application No. 2

Item	Gross Requested Billing	Gross Approved Billing	Retainage This Period (10%)	Net to Pay as Approved
17. 90% Design Development	\$13,164.00	\$13,164.00	\$1,316.40	\$11,847.60
18. Final Design Development	\$2,500.00	\$2,500.00	\$250.00	\$2,250.00
TOTAL	\$15,664.00	\$15,664.00	\$1,566.40	\$14,097.60

Regulatory Compliance Issues

As discussed earlier, the KLTV and KLP collection system permit application was submitted to FDEP in April. Responses to the Request for Information from FDEP have been provided by The Haskell Company.

The WWTP permit application was prepared and submitted by The Haskell Company in May. A Request for Information from the FDEP was received and a response is being developed.

Project Team Meetings and Actions

WEC participated in the normally scheduled weekly Working Group conference calls each Monday during the period. WEC also attended the June 2nd and June 17th Board meetings. WEC met prior to the June 17th meeting with Chuck Fishburn, Tom Dillon in preparation for the Board meetings.

Ed Castle also met with Chuck Fisburn on June 2nd to discuss planning issue and the next project for the KLWTD.

KLWTD Board Meeting

July 7, 2004

Item PE 3

Status of Change Order to add a second floor to the treatment plant for use as office space.

Faith Doyle

From: English, William T. [william.english@thehaskellco.com]
Sent: Tuesday, June 29, 2004 12:26 PM
To: Ed Castle (EdRCastle@aol.com)
Cc: Chuck Fishburn; Stuart Oppenheim (soppenheim@brwnald.com); Kinsley, Peter M.
Subject: Key Largo - Admin. Building Change Proposal

Ed, I spoke with both FDEP and the Monroe County Bldg. Dept. concerning the addition of a second floor to the Admin. Bldg. Mel Reinhardt stated that the change wouldn't be applicable to the FDEP Wastewater Plant Permit and therefore the permit would not require modification. Joe Paskalik with Monroe County stated that a permit revision would be necessary to make the change at the County level. Brown & Caldwell are currently looking into design fees and anticipated structural changes. Haskell will be able to develop an accurate cost proposal shortly thereafter. Please contact me with any questions.

William T. English
The Haskell Company
Project Manager
office (904) 357-4225
cell (904) 759-8110

6/29/04

**KLWTD Board Meeting
July 7, 2004**

Item CI 1

Status of the CFO's Position

June 23, 2004



Mr. Gary Bauman
Chairman
Key Largo Wastewater Treatment District
Key Largo, Florida 33037

Dear Mr. Bauman:

As you requested, we have estimated the annual fee for performing the position of Chief Financial Officer for the Key Largo Wastewater Treatment District. As you instructed, we contacted David Miles from Government Services Group, Inc. (GSG). He gave us the number of hours that he and his staff were currently spending in the chief financial officer role. David also informed us that his monthly hours would be increasing from 40 to 50 hours a month when construction started this summer. We have prepared a schedule (attached) which applies both our standard rates and our rates discounted by 20% to these hours. Discounting our rates by 20% results in rates which are \$10 per hour below GSG's for the manager role and \$13 per hour lower for the accounting staff. This approach results in us proposing an annual fee of \$65,600.

It should be noted that the annual budget preparation and audit/financial statement preparation tasks are based on the services performed by GSG last year. This does not include submitting the comprehensive annual financial report for a certificate of achievement from the Government Finance Officers Association. If the Board requests that its CAFR be submitted, we estimate that it would take an additional ten hours of manager time.

We calculated our services at 50 hours a month for all twelve months, which includes time for transition from GSG during the first two months. We then assumed that we would be in the construction phase for the remainder of the year. Furthermore, we will bill you for any expenses separately; however, we estimate that any such expenses should be minimal following the transition period which will probably require us going to Orlando.

We look forward to providing these services to the Key Largo Wastewater District. Please contact me with any questions.

David S. Andrews
President
Mull and Associates P.A.

Key Largo Wastewater Treatment District
Grant Compliance/Accounting

	<u>Hours</u>	<u>Rate@100%</u>	<u>Fee</u>	<u>Rate@80%</u>	<u>Fee</u>
<u>Current (40 hours/month)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>
<u>As of Construction (8/1 or 9/1/04)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	25	\$90	\$ 2,250	\$72	\$ 1,800
Total	<u>50</u>		<u>\$ 6,000</u>		<u>\$ 4,800</u>
<u>Annual Budget Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>
<u>Annual Audit-F/S Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

	<u>Total</u>	
	<u>Monthly</u>	<u>Annual</u>
Monthly charge	\$ 4,800	\$ 57,600
Budget preparation (rounded)		\$ 4,000
Audit-financial statement preparation (rounded)		\$ 4,000
		<u>\$ 65,600</u>

KLWTD Board Meeting
July 7, 2004

Item C1 2

**GSG Contract/District
Representative Discussion**

Faith Doyle

From: Andrew Tobin [tobinlaw@terranoa.net]
Sent: Friday, June 25, 2004 2:37 PM
To: Thomas Dillon
Cc: Gary Bauman; Jerry Wilkinson; Gary Bauman (E-mail); Faith Doyle; Cris Beaty (E-mail); Charles Brooks (E-mail); Andrew Tobin; Charles Fishburn
Subject: Re: GSG contract - District Representative

All;

I would like to discuss this at the next board meeting before anything official is sent to GSG.

Thanks,

Andy

Thomas Dillon writes:

> Gary, this is the form of notice that I recommend to be sent to GSG:

>

> Pursuant to Paragraph 5 of the Amendment to Management Services Agreement between the Key Largo Wastewater Treatment District ("District") and Government Services Group, Inc. ("GSG"), effective May 1, 2004, I am notifying you that the District's authorized representative for the purpose of directing GSG's services is the District's General Manager, Charles F. Fishburn.

>

> Gary Bauman, Chairman

West Side Plaza II
8300 NW 33rd Street, Suite 100
Miami, Florida 33122
Tel: (305) 418-4090
Fax: (305) 418-4924
www.brownandcaldwell.com

BROWN AND
CALDWELL

June 25, 2004

Russell. Eastenes, P.E.
Strategic Planning and Technical Support
Florida Department of Environmental Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902

24533

Subject: Key Largo Wastewater Treatment District
Key Largo Wastewater Management System
Application No. 164363-001-DWC

Dear Mr. Eastenes:

This letter will serve to re-submit the updated Key Largo Wastewater Treatment District, Application for Constructing a Domestic Wastewater Collection/ Transmission System.

This letter also documents our response to comments listed in your review letter dated June 3, 2004. We have repeated your comment listing our response directly after words. The comments and responses are listed in the same order as in your June 3, 2004 letter.

- 1. In the RAI, it was noted that the separation(s) between sewer mains and water mains at crossings required by F.A.C. Rules 62-555.314 and 62-604.400(2)(b) and (i) were not indicated on the submitted engineering plans. In fact, vertical and horizontal separations. The RAI indicated that the necessary requirements should either be indicated on the utility detail drawings(s) or indicated on the engineering plans at numerous locations. The RAI indicated that the necessary requirements should either be indicated on the utility detail drawing(s) or indicated on the engineering plan drawings. Every location where separation cannot be maintained, but an alternative allowed by the cited Rules is to be used should have that indicated on the engineering plans. The response included a complete set of engineering plans with a note indicating that minimum 3 feet horizontal and 6 inches vertical separation would be maintained between water mains and sewer main, but this note does not meet the requirements of the cited Rules because the necessity for centering of joints at all crossings with a minimum 3 feet separation between sewer and water joints at all crossing with a minimum 3 feet separation between sewer and water joints was not stated, nor was the requirement for 12 inches vertical separation when vacuum main crosses over water main stated. Also, review of the revised plans revealed numerous cases where the scale indicated that the cited separation would not be met, but still no alternative allowed by the cited Rules was indicated. Please submit two (2) copies of corrected engineering plans complying with the requirements of these Rules so that our Marathon office can have a set for public access. Note that only drawings being revised need be submitted.*

Attached to this letter is a copy of the "Separation of Vacuum Sewer Mains from Existing Water Mains" Construction Detail. This detail will be inserted into our Contract Specifications and become a part of the construction documents. This detail clearly depicts the separation requirements of Rule 62-555.314 and 62-604.400(2) h and i F.A.C.

2. *The RAI requested that the maximum number allowed of services discharging to a vacuum pit should be shown on the detail drawings per recommendation from the manufacturer. This information was not provided in the Response. Instead, performance capacities of valves were provided. Please provide a detail drawing showing the maximum number of services that will be allowed to discharge into each type of vacuum pit.*

Attached to this letter is a copy of a detail drawing showing the maximum number of services that will be allowed to discharge into each type of vacuum chamber. This detail will be inserted into our Contract Specifications and become a part of the construction documents.

3. *The Response was not sealed by a Professional Engineer as required by F.A.C. Rules 6204.050(3) and 61G15-23.002(2) and as requested in the RAI. Please submit two (2) certified copies this response and two (2) of your response to this letter so that the Marathon DEP office may have one available for public access.*

Two certified copies of our previous response are enclosed. Two certified copies of this response are also provided.

We believe that this letter successfully addresses you comments as listed above. Please proceed with issuing the permit for this project. Thank you very much for your continued assistance with this project. Should you have any questions please do not hesitate to contact me at (305) 418-4090.

Very truly yours,

BROWN AND CALDWELL


Joe Paterniti, P.E. 6/25/04
Project Engineer FL. PE #38777

Enclosures

Cc: Gary Bauman, Chairman KLWWTD
Peter Kinsley, The Haskell Co.
Charles Sweat, Operations Manager KLWWTD
Chuck Fishburn, District Manager KLWWTD
File

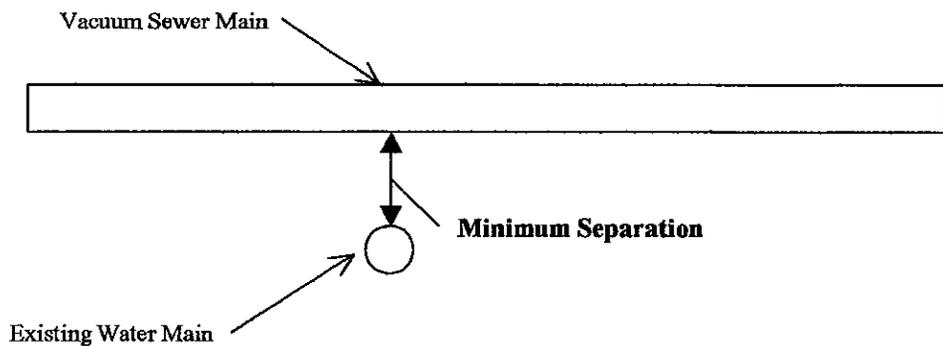


**Key Largo Wastewater Treatment District
Key Largo Vacuum Collection System**

CONSTRUCTION DETAIL

Separation of Vacuum Sewer Mains from Existing Water Mains:

Vacuum main sewer crossing under watermains shall provide a minimum vertical distance in accordance with Rule 62-604.400 (h) and (i) and Rule 62-555.314 FAC. If the existing watermain is below the vacuum sewer main a minimum of 12-inches vertical separation shall be maintained. When the minimum vertical separation cannot be maintained the crossing shall be arranged so that the vacuum sewer main pipe joints and water main pipe joints are equidistant from the point of crossing, so the distance between joints will be maximized, with no less than 3 feet of separation between any two joints.



Joe Paterniti 6/25/04
Joe Paterniti Fl PE number 38777

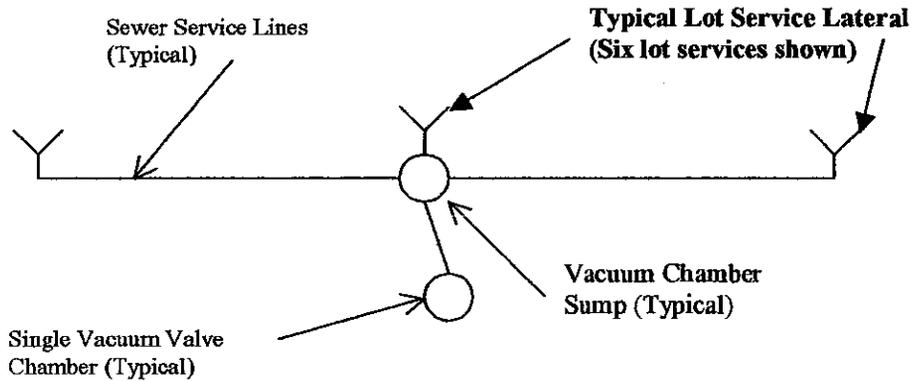


**Key Largo Wastewater Treatment District
Key Largo Vacuum Collection System**

CONSTRUCTION DETAIL

Maximum Number of Residential Services Allowed to Discharge to a Single Vacuum Chamber:

The Single Vacuum Chamber for this Key Largo project will provide service to a maximum of six (6) residences as detailed below.



Note: This detail is shown on Sheet C-4 of the Construction Plans

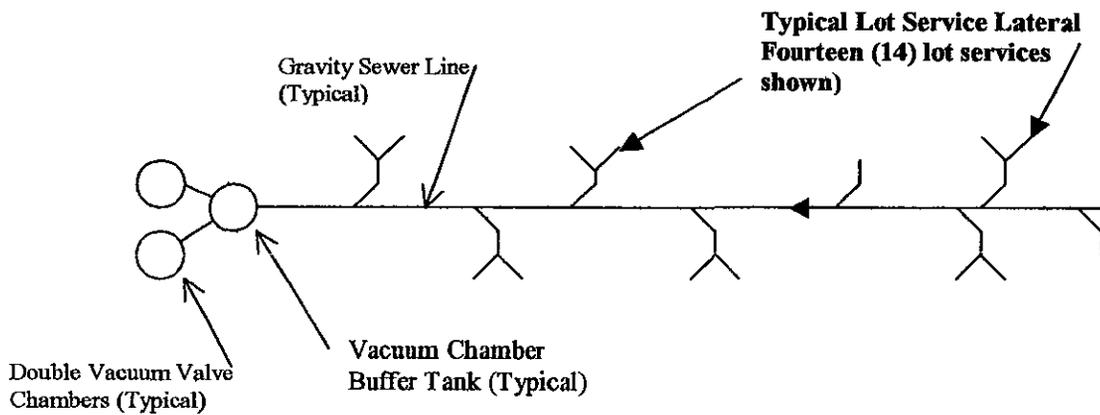
Joe Paterniti 4/25/04
Joe Paterniti FL PE number 38777

**Key Largo Wastewater Treatment District
Key Largo Vacuum Collection System**

CONSTRUCTION DETAIL

Maximum Number of Residential Services Allowed to Discharge to a Buffer Tank and Double Vacuum Chamber:

The Double Vacuum Chamber and Buffer Tank for this Key Largo project will provide service to a maximum of fourteen (14) residences as detailed below.



Note: Buffer Tank detail is shown on Sheet C-3 of the Construction Plans

Joe Paterniti 6/25/04
Joe Paterniti Fl PE number 38777

West Side Plaza II
8300 NW 33rd Street, Suite 100
Miami, Florida 33122
Tel: (305) 418-4090
Fax: (305) 418-4924
www.browncaldwell.com

BROWN AND
CALDWELL

May 13, 2004

Russell. Eastenes, P.E.
Strategic Planning and Technical Support
Florida Department of Environmental Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902

Subject: Key Largo Wastewater Treatment District
Key Largo Wastewater Management System
Application No. 164363-001-DWC

Dear Mr. Eastenes:

This letter will serve to re-submit the updated Key Largo Wastewater Treatment District, Application for Constructing a Domestic Wastewater Collection/Transmission System.

This letter also documents our response to comments listed in your review letter dated April 26, 2004. We have repeated your comment listing our response directly after words. The comments and responses are listed in the same order as in your April 26, 2004 letter.

Item 1. *In DEP Form 62-604.300(8)(a), Notification/Application for construction a Domestic Wastewater Collection/Transmission System (the application form), Part II, item (2) included instruction to submit information including pipe length, range of pipe diameter, total number of manholes and total number of pump stations. Since the proposed project is vacuum system, necessary information also includes number of vacuum pump station, vacuum pumps and vacuum pits. Also, estimated dates for construction and connections to existing (in this case, proposed) treatment plant or systems were required. This information was not submitted. Please submit, F.A.C. Rules 62-4.050 and 62-4.210 require complete and correct information be submitted with an application.*

The following quantities of collection system materials are included in this application. These quantities are approximate and are based on the permit drawings.

Total Pipe Lengths:

10" vm	=	1,400 feet
8" vm	=	1,300 feet
6" vm	=	2,400 feet
4" vm	=	12,900 feet

Total number of vacuum pumping stations = 1

- 3-15Hp Vacuum Pumps
- 3-7.5 Hp Sewage Pumps
- 6,300 Gallon Central Vacuum Collection Tank

Total number of single vacuum
Chambers: = 171

Total number of double vacuum
Chambers: = 15

The estimated date for connection to proposed treatment facility is December 1, 2006.

Item 2. *In Part II of the application form, the standards in item (5) A number 7 were marked with an "X" indicating non-compliance, with a reason given in item (5) B having to do with separation between water mains and sewer mains. Number 7 dealt with diameter requirement of gravity sewer main. Each item should be complied with or reason given for not being applicable, or deviation from the standard sought per F.A.C. Rule 62-604.300(2). Please correct or justify.*

This was marked (X) in error. We comply with Part II item (5) A number 7.

Item 3. *In Part II of the application form, the standards in item (5) A, number 17 were marked with an "X" indicating non-compliance, with indication given in (5) B that all gravity lines will be tested for deflection using a rigid ball or mandrel and that no gravity main will have a deflection greater than 5%. The other items, including 30 days stabilization, were not addressed. Please address and/or justify deviation from the standard sought per F.A.C Rule 62-604.300(2). Also, please supply documentation that the vendor of the vacuum system agrees with your proposal for testing deflection of vacuum piping.*

After 30 days of stabilization sufficient elevation along the top of the vacuum main will be obtained to confirm the piping vertical and horizontal alignment. The manufacturer does not object to this approach.

Item 4. *In Part II of the application form, the standards in item (5)A, number 18 were marked with an "X" indicating non-compliance, with indication given in item (5)B that leakage test would be conducted on gravity and sewer mains, but no test requirements given. Please provide the test standards and requirements to justify deviation from the standard sought per F.A.C Rule 62-604.300(2). Please supply documentation that the vendor of the vacuum system agrees with this proposal. Also, it would appear that conventional standard leakage test and standard requirements would be appropriate for gravity sewer mains. Please address.*

The leakage testing requirements are provided in section 15010-3, 04 B and C of the technical specifications provided. This specification (15010) was prepared with the vacuum system vendor (Roediger Pittsburg, Inc.) The vacuum pressure is equivalent to 18 inches of mercury and is held for 30 minutes during an interim test and for 4 hours during final vacuum testing. These requirements were obtained from the manufacturer of the vacuum system. The standard leakage test referenced in Part II number 18 will be used for the gravity mains.

Item 5. *The separation(s) between sewer mains and water mains at crossings required by F.A.C Rule 62-555.314 and 62-604.400(2)(b) and (i) were not indicated on the submitted engineering plans. In fact, vertical and horizontal separation rule violations were indicated on the engineering plans at numerous locations. The necessary requirements should either be indicated on the utility detail drawings(s) or indicated on the engineering plan drawings. Every location where separation cannot be maintained, but an alternative allowed by the cited Rules is to be used should have that indicated on the engineering plans. Please submit two (2) copies of corrected engineering plans complying with the requirement of these Rules so that our Marathon office can have a set for public access.*

The separation requirements between sewer mains and water mains are given in standard civil note # 4 on sheet C-1. A second notation is added to each plan and profile sheet to emphasize the importance of maintaining minimum separation. Additional water main crossing information has been added to the profile drawings to assist with depicting the separation with the proposed collection mains

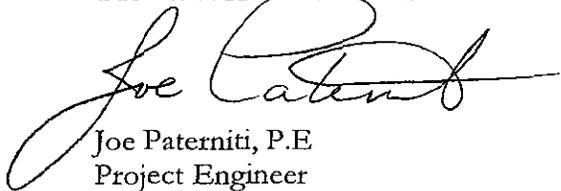
Item 6. *The maximum number allowed of services discharging to a vacuum pit should be shown on the detail drawings per recommendation from the manufacturer.*

The collection system was designed with input from the manufacturer. We have attached a letter from Roediger to confirm value performance flow rates.

We believe that this letter successfully addresses your comments as listed above. Please proceed with issuing the permit for this project. Thank you very much for your continued assistance with this project. Should you have any questions please do not hesitate to contact me at (305) 418-4090.

Very truly yours,

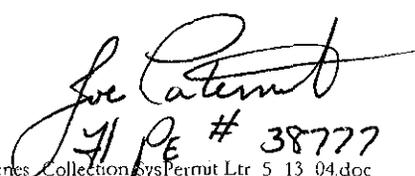
BROWN AND CALDWELL



Joe Paterniti, P.E.
Project Engineer

Enclosures

Cc: Gary Bauman, Chairman KLWWTD
Peter Kinsley, The Haskell Co.
Charles Sweat, Operations Manager KLWWTD
File



J/P PE # 38777 6/25/04

PART II – PROJECT DOCUMENTATION (Updated 5_13_04)

(5) Collection/Transmission System Design Information

General Requirements

- 1 The per capita usage for this project was estimated to be less than the 100 gallons. The estimate of 134 gallons/day/EDU (Equivalent Dwelling Unit) was used for the Key Largo Trailer Village residential units. 155 gallons/day/EDU was estimated for the residential units in Key Largo Park and Sunset Waterway areas.

A flow of 155 gallons/day/EDU was used for the commercial customers along Highway US #1 (SR5) to determine the number of EDUS from each unit. 3 years of monthly meter readings that totalized the water usage rates were collected from the Florida Keys Aqueduct Authority (FKAA) to determine actual water usage.

Because the system consists of vacuum collection, no infiltration and inflow flows were applied. Based on the seasonal nature of the area and because the system is under vacuum a lower than average per capita flow and a high peak factor was utilized to size the collection and treatment systems.
- 2 This is a new collection system and will be constructed and completed prior to the completion and start up of the wastewater treatment facility. Once the treatment facility is operational the customer will be connected to the collection system in a manner consistent with the Monroe County Ordinance.
- 3 This project will be constructed within the public right of way and on property owned by the permittee (Treatment Facility Site). Appropriate distance from public and private drinking water supply wells are maintained. All of our services area is served by the FKAA water supply system (Central water supply).
- 5 This permit is requested for the vacuum collection and gravity lateral system within the public right of way. It is designed to preclude the introduction of stormwater, surface water, groundwater, and roof runoff. Nothing but swage and air will enter the collection system. The collection system for each private customer will be permitted the Monroe County Health Department. Private property construction is not part of this FDEP permit application

Gravity Sewers

- 14 We do not anticipate using dissimilar materials. The collection system will be primarily constructed of PVC pipe and fittings. If the case arises we will utilize couplings complying with ASTM Specifications.

- 17 All gravity lines will be tested for deflection using a rigid ball or mandrel. No gravity main will have a deflection greater than 5%. The vacuum system is designed without manholes and with a "saw-tooth" profile making alignment testing as described above impossible. After 30 days of stabilization sufficient elevations along the top of the vacuum main will be taken, after vacuum testing, to give a reasonable indication of pipes horizontal and vertical alignment.
- 18 Leakage tests are specified in Specification Section 15010.3-04 B & C. Leakage tests will be conducted on gravity and vacuum sewer mains. The gravity mains will be tested for infiltration by applying an internal pressure of equivalent to a minimum of 2 feet of water. The vacuum mains will be tested for infiltration by applying a vacuum (negative pressure) equivalent to a minimum of 18" high.

Manholes

- 20-26 This project will utilize vacuum mains and gravity service lines. No manholes, in the conventional sense, are proposed. The collection system is not a conventional gravity system type, but rather it is a vacuum collection system.

This system will utilize 15 buffer tanks at the down stream end of a gravity collection lines. This buffer tank will be constructed similar to a manhole, but will be equipped with two vacuum chambers to transfer wastewater into the vacuum collection main system. These buffer tanks are designed with a minimum diameter of 48-inches with a minimum access diameter of 22 -inches. The tank bottom will have a slope to direct wastewater to the inlet of the vacuum chamber. This design will minimize the deposition of solids within the tank. No drop line connections and no electrical equipment are anticipated for these tanks. Upon completion of construction, the tank will be inspected and tested for water tightness prior to placing into service.

Permit Drawing C-3 and Construction Specification Section 02701 and 09900 describe the design requirements for the precast manhole/buffer tank and lining system.

Stream Crossings

- 27-33 **There are no stream crossings on this project.**

Pump Station

This project will utilize vacuum mains and gravity service lines. This system will be constructed with a central vacuum station that generated negative pressure within the vacuum collection main system. This central vacuum station located at the planned wastewater treatment facility. It will be constructed as part of that facility.

- 39 A central horizontal 6300 gallon tank will be provided to collect wastewater by vacuum from the collection system vacuum mains. Details of the construction of this facility are shown on the drawings. This tank will not require access while in service. Suitable and safe means of access to the tank and sewage pump is provided.
- 47 The drywell sump is equipped with a vacuum valve to remove any moisture that may collect in the dry pit area. The valve is connected to the vacuum main just upstream of the central vacuum tank.
- 51 The central vacuum collection tank size is based on the volume within the collection mains so that the sewage pump start frequency does not exceed 12 per hour.
- 52 The tank outlet to the sewage pumps is located at the bottom of the tank to minimize sediment remaining in the tank.
- 53 The central vacuum tank is equipped with 3 vacuum pump/blowers that maintain a negative pressure with the collection tank. Discharge from the blowers is directed to a bio-filter odor control system.

Forcemains

78-84 This project will utilize vacuum mains and gravity service lines. No pumping stations, in the conventional sense, are proposed. This system will be constructed with a central vacuum station that generated negative pressure within the vacuum collection system. This central vacuum station will transfer wastewater from the central vacuum tank to the proposed adjacent treatment plant headworks. This transfer forcemain complies with the standards listed in Part II numbers 78 through 84.

B. Explanation for Requirements or Standards Marked "x" in II (5)A. and described above.

This project consists of a vacuum collection system. This system is classified as an alternative collection system in 62-604.300(5)(b) and (c) F.A.C. The design standards utilized in the development of these permit drawings and specifications are listed in Alternative Wastewater Collection Systems (1991) EPA/625/1-9/024 and WEF Manual of Practice No.FD-12 Alternative Sewer Systems (1986).



May 7, 2004

Mr. Joe Paterniti
Brown & Caldwell
8300 NW 33rd St., Suite 100
Miami, FL 33122

RE: EPA Commentary on Roevac Valve Capacity

Dear Joe:

In reference to the above, our Roevac valve performance is measured by flow rates.

Based on your design criteria, Roevac valves have the following capabilities:

- Single valve, up to six homes at a peak flow of 2.40-2.50 GPM.
- Double valve, up to 14 homes at a peak flow of 5.65-6.00 GPM.

We do warrant our equipment under these conditions.

Sincerely,

A handwritten signature in cursive script that reads "Skip Dorton".

Skip Dorton
General Manager, Roevac Division

Gino
SEWER BD



Gino F. Angella
P.O Box 1805
Dania Beach, Florida 33004-1805
Phone: 954-921-6094

July 4, 2004

The Honorable Murray Nelson
District 5 Monroe County Commissioner
Dameron Building, Suite II
99198 Overseas Highway
Key Largo, Florida 33037

RE: RV Parks, Campgrounds and Trailer Parks

Dear Commissioner Nelson,

Due to improper levying of special assessments by local governments, RV Parks, Campgrounds and Trailer Park owners in several Counties across Florida have had to engage in costly legal battles. These legal battles were a result of local governments not treating these entities according to the law.

As a owner of such a property here in Monroe County, I am concerned about the special assessment or impact fees being considered by the Key Largo Wastewater Board and similar quasi governmental agencies through out Monroe County. I want to insure that myself and other owners of similar property are being assessed as a commercial entity as declared in Florida Statutes 125.0168 which states that special assessments levied on property like ours "shall not be based on the assertion that the park is comprised of residential units. Instead, parks that are regulated under chapter 513 shall be assessed as a commercial entity in the same manner as a hotel, motel or other similar facility".

Florida Law clearly states that property as described here, is to be treated as commercial property, yet local governments in Hendry, Lee, Marion, Polk and Glades Counties have chosen to assess parks as residential units. In doing so, these local governments spent taxpayer dollars fighting court cases that they eventually lost.

As a Park owner and a member of the Florida Association of RV Parks and Campgrounds, our position as an industry is that the intentions of the law must be thoroughly understood and implemented accordingly. Taxing or assessing Trailer parks, Campgrounds, RV Parks per residential unit for fire, emergency medical services, sewage impact fees etc. is wrong and in our opinion not in accordance with the law. These are commercial entities and should be taxed as such. I have attached seven additional pages of information and a copy of the actual Florida State Statute.

Thank you for your continued support and keen attention to this matter

Sincerely yours,

Gino F. Angella
Gino F. Angella

CC: All County Commissioners
All Key Largo Wastewater Board Members



Who Needs To Know Our Issue?

It is important that members of ARVC communicate with elected officials at the local levels to make sure they are aware of our position regarding F.S. 125.0168.

You can help in these efforts by writing letters to your county commissioners and city council members. Some key items to keep in mind when communicating to elected officials:

- Florida Statute 125.0168 created uniform standards for RV parks, which require counties to tax campgrounds using the same criteria they use to tax hotels and motels. This law treats RV parks and campgrounds the same as other commercial entities, such as, hotels, motels, Wal-Mart, grocery stores, etc.
- Campgrounds and RV parks are regulated by Florida Statute 513 and are classified as commercial properties and should be billed as commercial entities.
- Local government in Polk, De Soto, Lake, Osceola, Glades, Pembroke Pines and Broward counties have excessively assessed campgrounds for emergency service fees. Litigation has occurred in these cases and local government has consistently lost.

Avoiding the fight in your county.

- Local government is often unaware of the litigation that has resulted from improper tax assessments for RV parks and campgrounds. Educate your local officials on the lawsuits that have occurred in other counties and the consistent ruling of the courts in favor of campgrounds.
- If your county or city commission is considering a special assessment, act quickly by sending them the letter and background materials contained in this kit. Educating your local government on the proper assessment of fees in accordance to the law is the only way to protect yourself from excessive tax assessments and the expense of a legal battle.



RV PARKS & CAMPGROUNDS

ISSUE PAPER

Non-Ad Valorem & Special Assessments

Background

Counties across the state are misinterpreting Florida Statute 125.0168 and levying non-ad valorem assessments on RV parks and campgrounds, which in some cases resulted in a 200% service fee increase in one year.

According to the Sarasota County Tax Collector's office non-ad valorem assessments "are based on factors other than the property value such as square footage or number of units. Levying authorities are responsible for setting the non-ad valorem assessments." Levying authorities include emergency medical services, fire districts, solid waste authorities, and others.

May 13, 2002, Governor Jeb Bush signed into law Florida Statutes Section 125.0168, which creates uniform standards for RV parks, which require counties to tax campgrounds using the same criteria they use to tax hotels and motels. In essence, this new law treats RV parks and campgrounds the same as other commercial entities. Florida Statutes Section 125.0168 reads:

Special assessments levied on recreational vehicle parks regulated under chapter 513. – When a county levies a non-ad valorem special assessment on a recreational vehicle park regulated under chapter 513, the non-ad valorem special assessment shall not be based on the assertion that the recreational vehicle park is comprised of residential units. Instead, recreation vehicle parks regulated under chapter 513 shall be assessed as a commercial entity in the same manner as a hotel, motel or other similar facility.

The law applies to counties and municipalities and clearly states that RV parks and campgrounds are to be treated according to the same criteria used to tax hotels and motels.

The Issue

In three special assessment areas in particular, RV parks & campgrounds have been consistently taxed per residential unit. These include: 1) fire; 2) emergency medical services; and 3) landfill (solid waste disposal) fees. As a result, campgrounds are paying local taxes that vastly exceed the rates paid by comparable businesses. Many Florida counties have imposed extraordinarily high fire and emergency medical service fees for RV parks and campgrounds.

Our Position

Taxing campgrounds and RV parks per residential unit for fire, emergency medical services, or landfill fees is wrong and not in accordance with the law. The intentions of the law must be thoroughly understood and implemented accordingly by local government.

We urge Florida's County Commissions to recognize and respect the law by billing campgrounds and RV parks as commercial entities.



Recent Court Rulings

Over the past few years, several cases involving the improper levying of Special Assessments against recreational vehicle parks by local government have been heard by Florida's courts. Florida law is clear in its declaration that recreational vehicle parks are to be treated as commercial property. The Court has upheld Florida's laws in their rulings and ruled in favor of campground owners. Below are summaries of two recent court rulings:

Okeechobee Utility Authority, Etc. v. Kampgrounds of America, Inc., Etc., Et Al
Campgrounds in Okeechobee County filed suit against the Okeechobee Utility Authority (OUA) because the OUA was assessing a monthly *Base Facility Charge* to campgrounds for water services at each site or pad. Each month the fee was assessed to campground owners, even when the campsite was empty and no one was using water. OUA was assessing campgrounds as multi-residential units instead of as hotels, motels and other commercial facilities as required by Florida Statutes 125.0168.

The Circuit Court ruled in favor of the campgrounds, declaring the Base Facility Charge to be null and void. The final judgement was appealed by the OUA to the Fourth Circuit Court of Appeals. An oral argument date has been set for late May 2004.

Coba Beasley, et al. v. Glades County, et al.

In 1999, the Glades County Emergency Medical Services Benefit Unit (MSBU) adopted Resolution 99-2, a final budget for fiscal year 1999-2000 and a schedule of final special assessments for the 1999-2000 fiscal year. The resolution provided that each recreational vehicle park in the MSBU Territory would be assessed \$45.00 for every recreational vehicle site within each recreational vehicle park for emergency medical services and facilities during the 1999-2000 fiscal year.

In September of 2000, the MSBU adopted resolution 2000-2, a final budget and schedule of special assessments for 2000-01 fiscal year. As in the previous year, the resolution levied special assessment for emergency medical services and facilities against all recreational vehicle parks (and all sites within each park) located within the MSBU Territory for the 2000-01 and 2001-02 fiscal years in the same manner as provided in Resolution 99-2.

A campground owner filed suit against the county on the grounds the county was improperly assessing taxes against recreational vehicle parks. In February of 2004, the Court ruled in favor of the campground owner citing the special assessment did not provide a special benefit to the real properties subject to the Special Assessments and were therefore invalid. Emergency medical services do not provide a benefit to the real property, but rather provide a benefit to individuals the Court stated in their ruling.

Florida Statute Chapter 189

189.420 Assessments levied on facilities regulated under chapter 513.

When an independent or dependent special district levies an assessment on a facility regulated under chapter 513, the assessment shall not be based on the assertion that the facility is comprised of residential units. Instead, facilities regulated under chapter 513 shall be assessed in the same manner as a hotel, motel, or other similar facility.

History.—s. 9, ch. 2000-355.

The following Florida Statutes, created in the 2002 session (SB 460), provide the method for the levy of assessments by counties and municipalities on recreation vehicle parks.

Florida Statute 125.0168
Special assessments levied on recreational vehicle parks
regulated under chapter 513.

When a county levies a non-ad valorem special assessment on a recreational vehicle park regulated under chapter 513, the non-ad valorem special assessment shall not be based on the assertion that the recreational vehicle park is comprised of residential units. Instead, recreational vehicle parks regulated under chapter 513 shall be assessed as a commercial entity in the same manner as a hotel, motel, or other similar facility.

History.—s. 1, ch. 2002-241.

Florida Statute 166.223
Special assessments levied on recreational vehicle parks
regulated under chapter 513.

When a municipality levies a non-ad valorem special assessment on a recreational vehicle park regulated under chapter 513, the non-ad valorem special assessment shall not be based on the assertion that the recreational vehicle park is comprised of residential units. Instead, recreational vehicle parks regulated under chapter 513 shall be assessed as a commercial entity in the same manner as a hotel, motel, or other similar facility.

History.—s. 2, ch. 2002-241.

By the Committee on Local Government & Veterans Affairs
and Representative Trovillion

1 A bill to be entitled
2 An act relating to special assessments;
3 creating ss. 125.0168 and 166.223, F.S.;
4 providing for the method for the levy of
5 special assessments by counties and
6 municipalities on recreational vehicle parks;
7 providing an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Section 125.0168, Florida Statutes, is
12 created to read:

13 125.0168 Special assessments levied on recreational
14 vehicle parks regulated under chapter 513.--When a county
15 levies a special assessment on a recreational vehicle park
16 regulated under chapter 513, the special assessment shall not
17 be based on the assertion that the recreational vehicle park
18 is comprised of residential units. Instead, recreational
19 vehicle parks regulated under chapter 513 shall be assessed in
20 the same manner as a hotel, motel, or other similar facility.

21 Section 2. Section 166.223, Florida Statutes, is
22 created to read:

23 166.223 Special assessments levied on recreational
24 vehicle parks regulated under chapter 513.--When a
25 municipality levies a special assessment on a recreational
26 vehicle park regulated under chapter 513, the special
27 assessment shall not be based on the assertion that the
28 recreational vehicle park is comprised of residential units.
29 Instead, recreational vehicle parks regulated under chapter
30 513 shall be assessed in the same manner as a hotel, motel, or
31 other similar facility.

Florida Association of RV Parks and Campgrounds

1340 Vickers Drive

Tallahassee, FL 32303-3041

(850) 562-7151

Fax (850) 562-7179

The New Law – CS for SB 460 (Passed and signed by the Governor)

What does the new statute do? It simply treats RV Parks and Campgrounds the same as other commercial entities – such as hotels, motels, Wal-mart, grocery stores, etc.

If the taxing district is taxing based on the square footage of a building, whether it be a Wal-mart, or hotel or motel, than this is how RV Parks & Campgrounds are to be taxed.

If the taxing unit indicates they are going to tax the square footage of a site or a trailer on the site, they would also have to tax the square footage of the parking lot at Wal-mart and/or the vehicles in the lot.

If they are going to tax the square footage of vehicles parked in the lot of a hotel or motel, then they could also tax vehicles parked in the RV Park.

If they are not taxing vehicles parked at a hotel or motel or at Wal-mart, then they cannot tax vehicles parked at your place of business.

If there is a maximum a taxing unit charges a commercial entity, then that is all they can charge an RV Park or Campground.

The law says we must be treated the same as a commercial entity, whether it be a hotel, motel, grocery store, gas station, Wal-mart, Big K, or any other commercial entity.

AMENDMENT NUMBER ONE
TO
CONTRACT FOR CONSULTING/PROFESSIONAL SERVICE

THIS AMENDMENT NUMBER ONE to the contract between the Key Largo Wastewater Treatment District (District) and The Weiler Engineering Corporation (Consultant) is effective on June 25, 2004.

WHEREAS, effective August 27, 2003, District and Consultant entered into a written agreement for consulting/professional services services; and

WHEREAS, the parties desire to amend the agreement to reflect a change in the management of the District;

NOW, THEREFORE, the parties agree as follows:

1. The District's Representative and System Manager is:

Charles F. Fishburn, General Manager
Key Largo Wastewater Treatment District
P.O. Box 491
Key Largo, Florida 33037 ---

2. Consultant shall send invoices to Mr. Fishburn, and shall also send copies to David Miles of Government Services Group, Inc., 280 Wekiva Springs Road, Suite 203, Longwood, FL 32779.

IN WITNESS WHEREOF the parties have signed this amendment on the dates opposite their names:

KEY LARGO WASTEWATER
TREATMENT DISTRICT

WEILER ENGINEERING CORPORATION

By: _____

Gary Bauman
Chairman

By: _____

Name: R. Jeff Weiler, P.E.

The Weiler Engineering Corporation

Date: 7-7-04

Date: 6-25-04



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

July 1, 2004

Mr. Ervin A. Higgs, C.F.A. – CRA
Monroe County Property Appraiser
P.O. Box 1176
Key West, FL 33041

RE: Parcel Account # 00087100-000100 Alt. Key 1095711
Parcel Account # 00087100-000200 Alt. Key 8681771

Dear Mr. Higgs:

Please be advised that the above referenced property will be used by the Key Largo Wastewater Treatment District to construct, maintain and operate a wastewater treatment plant.

This site is being developed to serve the residents of the Island of Key Largo, Monroe County, State of Florida with a wastewater treatment system and therefore the intended use would exempt these parcels from Ad Valorem taxes.

Sincerely,

Mr. Charles F. Fishburn
General Manager
Key Largo Wastewater Treatment District

CFF/fd

cc: KLWTD Board of Directors

e

Largo Wastewater Treatment District

Guest Sign In Sheet

Wednesday, July 7, 2004

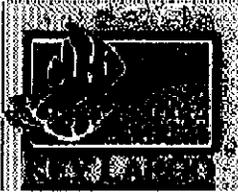
Please Print***

Name & Company

E mail

Phone

1.	Lissette Lopez ^{OWN}	llopez@OWNWS.com	305-797-1580
2.	Martin Waitts	keyfolks@juno.com	305-853-9879
3.	Steve Gibbs	SGIBBS@KEYSNEWS.COM	664-2266
4.	HOWARD GELBMAN	keyhg@aol.com	451-3607
5.	BURKE CANNON	FAX 852-2065	305-394-0141
6.	Laura Abramson	305	305-453-4622
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Key Largo Wastewater Treatment District Board of Commissioner's Meeting Agenda

5:00 PM Wednesday, July 7, 2004

**Key Largo Civic Club, 209 Ocean Bay Drive
Key Largo, Monroe County, Florida**

I - Call to Order

II - Pledge of Allegiance

III - Additions, Deletions or Corrections to the Regular Meeting Agenda

IV - Approval of the Draft June 16, 2004 Meeting Minutes

V - Public Comment

VI - Legal Counsel's Report

LC 1 - Haskell Notice of Delay

LC 2 - Prompt Pay Act Am. No. 1 to the Haskell Contract

LC 3 - Status of Lease for Bank of America

LC 4 - Letter to the Supervisor of Elections, Monroe County

LC 5 - Direct Purchase Procedures

VII - Action Items

AI 1 - Approval of Resolution 2004-01 of the KLWTD Approving Direct Equipment Purchases

AI 2 - Approval of Work Authorization WEC 04-01 with Weiler Engineering Corporation for Development of an RFP for the Next KLWTD Project

AI 3 - Approval of Amendment No. 1 to the Weiler Engineering Corporation Contract for Consulting/Professional Services

VIII - Chief Financial Officers Report

CFO 1 - Approval of the Pending Payments List for July 7, 2004 including status of the MSTU Funds

CFO 2 - Status of the Annual Budget Process

IX - General Manager's Report

GM 1 - Status of the Clerk Position

GM 2 - Status of the CFO Position

GM 3 - Report on the Calusa Camp Resort Meeting

GM 4 - Status of the Site Mitigation

GM 5 - Status of the System Development Charge / Rate Study

GM 6 - Status of the FEMA Project 1249-25 Funding Agreement

X - Engineer's Report

- PE 1 - Report on the Design Review
- PE 2 - Engineering Status Report
- PE 3 – Status of Change Order to add a second floor to the treatment plant for use as office space
- PE 4 – Discussion Items from the Haskell Company (presented by Will English)

XI - Public Comment

XII - Commissioner's Items

CI 1 - Status of the CFO's Position -- Chairman Bauman

CI 2 – GSG Contract/District Representative – Commissioner Tobin

CI 3 - Update on past agenda items:

- A. FEMA FONSI Status
- B. Water Quality Testing
- C. Resolution of \$100K Loan repayment issue
- D. Site mitigation
- E. KLP vacant lot resolution
- F. Project request for FEMA deadline extension
- G. CDBG Grants and/or funds for private connections
- H. Procedures
- I. Web Site Development

XIII - Meeting Adjournment

**KLWTD Board Meeting
July 7, 2004**

**Draft
June 16, 2004
Board Meeting Minutes**

draft



**Key Largo Wastewater Treatment District
Board of Commissioner's Meeting Minutes**

5:00 PM Wednesday, June 16, 2004

**Key Largo Civic Club, 209 Ocean Bay Drive
Key Largo, Monroe County, Florida**

Board Members Present

Gary Bauman, Chairman
Cris Beaty
Charles Brooks
Andrew Tobin
Jerry Wilkinson

Staff Present

Charles F. Fishburn, General Manager
Thomas Dillon, Board Attorney
Ed R. Castle, Board Engineer
Faith Doyle, Board Clerk
David R. Miles, CFO, via telephone

Guests Present

Steve Gibbs, reporter
Joan Mowery-Barrow, Key Largo resident
David Barrow, Key Largo resident
Ann Henson, reporter
Will English, Project Manager, The Haskell Company

A. Call to Order

Chairman Bauman called the meeting to order at 5:03 p.m.

B. Pledge of Allegiance

The pledge was recited.

C. Additions, Deletions or Corrections to the Regular Meeting Agenda

Commissioner Wilkinson requested that all manager housekeeping items be moved up on the agenda. The Chairman agreed to move the manager items after the G1 action item was acted on.

Commissioner Brooks requested that Item G5 the DCA grant agreement be tabled or moved to the general manager items for discussion. Comm. Brooks made the suggestion because the

new item was not available. He had hoped to have some commitment from the County and he doesn't believe it should be acted on until all documentation is received. Chairman Bauman moved it from action to discussion. Comm. Brooks also requested moving the resolution at G4 that was not prepared for this evening. Mr. Fishburn stated that enough information has been received on direct purchasing to discuss it this evening and then it could be an action item at the next meeting. Mr. Dillon stated that there has been a general understanding of how it would work however a list of the items to be purchased needs to be defined to finalize the resolution.

The chair removed from the action item G4 until Mr. Dillon acquires the additional information needed.

D. Approval of the Draft June 2, 2004 Meeting Minutes

Commissioner Wilkinson moved to approve the June 2, 2004 meeting minutes. Commissioner Brooks seconded the motion. All were in favor and the item was unanimously approved.

E. Public Comment

Mrs. Joan Barrow questioned the Board on their choice of collection systems. Commissioner Wilkinson commented that initial capital costs were comparative but the monthly operating costs were much higher for a vacuum system. Mrs. Barrow suggested reconsidering the issue. Commissioner Brooks stated that we are beyond the selection process and that the 99% system design. Discussion ensued. Commissioner Tobin noted the design and plans were approved by the FKAA prior to the formation of the KLWTD. Chairman Bauman stated that gravity systems would be utilized in the future.

F. Legal Counsel's Report

1. Discussion of Effective Date of Resignation

Mr. Dillon stated that after researching the issue Commissioner Wilkinson can resign effective on November 1, 2004.

2. Discussion of applicability of Florida Public Records Act to certain documents

Mr. Dillon stated that this request was not made to the District so therefore doesn't need action by the District.

3. Update on the Haskell Notice of Delay

Mr. Dillon stated that it would be appropriate to give some time (90 days) as an administrative convenience along with the items listed in his memo. Mr. Dillon stated that a formal response had not been sent to Haskell. Mr. Dillon stated that if the Board were in agreement with the points made in his memo a letter would be drafted and sent to Haskell.

4. Update on Am. No.1 to the Haskell Contract

Mr. Dillon stated that Haskell had requested to ignore the Notice to Proceed. Discussion ensued. Mr. Dillon drafted a letter for Mr. Fishburn to send to clarify the issues. The letter would also inform Haskell that he is now the KLWTD general manager and point of contact.

5. Update on Legislative Change (House Bill 471)

Mr. Dillon stated that the bill would become law by July 1, 2004.

Commissioner Brooks stated that there has been concern expressed by the Monroe County Supervisor of Elections office concerning the filling of vacancies between general elections. Discussion ensued on the seats available and length of terms needed. Commissioner Brooks read suggested motions and the purpose of having the numbered seats in alphabetical order. Discussion ensued on the necessity of the seat numbers.

Mr. Dillon was asked to contact the elections supervisor concerning the issue and report his findings at the next meeting.

G. Action Items

1. Approval of a motion to reconsider the selection of a district manager

Commissioner Brooks moved to reconsider the previous action of selecting a district manager. No second to the motion was made and the motion failed.

2. Approval of the manager-select contract

Mr. Dillon presented the revised documents Version A, starting on June 1, 2004 and Version B, starting on June 20.

It was suggested that the cost of living increase be dropped. Mr. Fishburn agreed. Discussion ensued on the merit raises.

Commissioner Brooks requested the termination notice change from 90 days notice to 30 days. Discussion ensued on the impact of a 90-day notice. A sever ability clause was discussed briefly. It was noted that fraud would be separated from the other dismissal issues.

It was noted that a minor correction to page 1 referring to section 7 should be section 8.

Commissioner Brooks stated concern with the salary and the implications of health insurance benefits. Discussion ensued. It was suggested that a phrase be added to the contract in item 6 that the salary had been increased in lieu of benefits. It was suggested that it be added that health insurance would be at the manager's expense.

Chairman Bauman suggested a compromise of the salary to \$85,000 at this point and once there is more employees and more projects the compensation would then increase.

Mr. Miles stated that the pay date being the last day of every month might incur an additional cost because it was a different pay schedule than the Board's. Mr. Dillon was instructed to check on the pay date issue.

Commissioner Wilkinson moved to approve the contract with a June 1, 2004 starting date, a 90-day termination notice, a salary of \$92,000 per year with section 3. B to be paid at a prorated amount based the time of separation section 3. D would be removed and section 3. 3 would be separate out 'fraud' into its own clause. Commissioner Beaty seconded the motion. The Chairman requested a roll call vote.

Commissioner Beaty	Yes
Commissioner Brooks	No
Commissioner Tobin	Yes
Commissioner Wilkinson	Yes
Chairman Bauman	No

The motion was approved by a vote of three in favor.

3. Approval of the Pending Payments List for June 16, 2004

Mr. Miles reviewed the list and the memo on the finances. Commissioner Tobin entertained several questions. Mr. Miles addressed the concerns. Mr. Miles noted that another draw had been requested from the FCAA on the FEMA Phase 1 funds. Commissioner Tobin question if GSG costs would be dropping. Mr. Miles confirmed that it would because Mr. Sheets and Mr. Sweats time would no longer be considered. Commissioner Tobin suggested the GSG be held until the back up has been received and reviewed. Mr. Miles stated he would forward the information.

Commissioner Wilkinson moved to approve the pending payments list less the \$10,800 payment to GSG. Commissioner Beaty seconded the motion. All were in favor and the item was unanimously approved.

4. Approval of Resolution 2004-01 of the KLWTD Approving Direct Equipment Purchases

The item was pulled for discussion.

5. Approval of DCA Grant Agreement for FEMA Project 1249-25

The item was pulled for discussion.

H. General Manager's Report

1. Discussion of Commercial Connections (Calusa Camp Resort)

Mr. Fishburn stated that he had talked with the Calusa Camp Resort management and that in his opinion Calusa is having difficulties seeing the big picture. Mr. Fishburn believes that after the rate studies the picture may change. Discussion ensued on the issue with Mr. Castle being requested to email the original Calusa report for review. Mr. Castle stated that he would summarize and resend the document.

Mr. Fishburn stated he would review the Calusa report with the resort management and that Mr. Castle would join him for the meeting.

2. Discussion of a Rate Study

Mr. Fishburn reviewed the information provided. He stated that a scope of service needs to be developed to request a more precise rate study. Mr. Fishburn stated the study is necessary to determine if the present \$2,700 connection and \$35 monthly charge would uphold the budget. Discussion ensued on the rate study process and forecasting. It was noted that \$15,000 was budgeted in the FY2004 budget for a rate study.

Commissioner Brooks stated concern that the information presented at the KLVN meeting on July 22, 2004 would be incorrect.

It was the consensus of the Board that a concept review report is reviewed by Mr. Fishburn and Mr. Castle and a draft a scope of service to procure a rate study be developed.

3. Discussion of the system development charge options

Mr. Fishburn presented the information that had been provided. Mr. Fishburn shares the Board's concern that financing option must be available for Key Largo residents.

Mr. Fishburn noted that the one year to connection notices should be going out soon.

The "Flex Choice" option was discussed. The Board was interested in the concept and would like to learn more about it. Mr. Fishburn would provide more information in the future.

4. Discussion of Rental Space

Mr. Fishburn stated that he had looked at the TIB and Dameron buildings. Mr. Dillon reported that the Bank of America had a minimum one-year lease with a six-months notice to terminate at a cost of \$13,000 per year. It was noted that the Sante building was not progressing.

Mr. Fishburn stated that another option would be to add a second floor to the treatment plant. An approximate cost for 1400 square feet would be \$80-00 thousand. Mr. Will English stated that it would be hurricane proof and a good long-term solution. The Board requested that a change order be presented at the next meeting. Mr. Castle requested that Haskel show how it would impact future development phases.

Mr. Dillon was directed to request a lease with the Bank of America for action at the next meeting.

5. Discussion of an RFP for the next project

Mr. Fishburn recommended that Mr. Castle prepare an RFP for Sexton Cove and that the Mayor be contacted for the funds to cover the cost of preparing the document. Discussion ensued. Mr. Castle stated that he would provide a proposal of the costs for the next agenda. It was suggested that a Board member meet with the Mayor concerning the funding.

6. Discussion of Site Mitigation Plan

Mr. Fishburn stated that he plans to meet with the Mayor, Mr. Castle, Ms. Conaway and Mr. Garrett on settling the mitigation issue. Commissioner Tobin request that an email be sent to him updating him on the issue after the meeting is held. Commissioner Brooks requested that Mr. Fishburn obtain a codified written document as to the County's commitment.

Mr. Fishburn requested the authority to contract with a biologist if necessary when meeting with Fish and Wildlife. The Board gave the authority and asked for a status report at the next meeting.

7. Discussion of Transfer of the Official KLWTD Records from Orlando to Key Largo

Mr. Fishburn stated that all of the official records would be retained by GSG until the transition is complete.

8. Status of the MSTU Funds

Mr. Fishburn suggested that future agendas provide a section for the CFO to report on issues. Mr. Miles stated that the third draw of the MSTU funds had been requested two weeks ago. Commissioner Wilkinson asked how much was left. Mr. Miles stated that there was approximately \$400,000 left.

I. Engineer's Report

1. Design Review Status

Mr. Castle stated that the 99% plans would be received by June 22 and review meeting was scheduled for July 1.

2. Adjustment of WEC Monthly Invoicing

Mr. Castle presented the information and commented the document memorializes the agreement that had been verbal.

J. Public Comment

No one present wished to address the Board.

K. Commissioner's Items

1. Discussion of the CFO and Clerk Positions – Chairman Bauman

It was suggested that a secretary/clerk be hired as soon as possible as a district employee. Commissioner Beaty stated that he would prefer that a CPA provide the CFO function. It was the consensus of the Board that Mr. Fishburn interview for the clerks position and advertise if necessary.

2. Discussion for possible action of the manager/manager-select and attorney to contract for temporary office space on a month-to-month tenancy not to exceed \$1.25 per square foot and a total cost of \$1,000 including utilities monthly – Commissioner Wilkinson

It was the consensus of the Board for Mr. Fishburn to use the Thrifty building on a month-to-month basis at a rate of \$700.00. The Board requested that documentation of the expenses be provided for reimbursement.

2.a. Discussion of Bank of America as temporary office space on a month-to-month basis – Commissioner Tobin

This item had been discussed previously.

3. Discussion for possible action of the manager/manager-select and attorney to contract for communications (telephone/DSL) capability transferable within the

The Board gave its consensus.

4. Discussion for possible action of the authority of the manager/manager-select to spend not-to-exceed \$5,000.00 for office startup equipment, fixtures, furniture, supplies and other office needed materials – Commissioner Wilkinson

The Board gave its consensus.

5. Discussion for possible action of directing the outgoing manager and staff to prepare a comprehensive list of accounts payable and receivable, insurances, mandated reports with submission dates, etc. accompanied with a contact person, email and mailing address, telephone number and other necessary items necessary for the transition to local management. The intent is that all expected services, tasks, accounts, contacts, etc. necessary for the proper management of the KLWTD whether major or minor be disclosed promptly to the incoming manager and the District – Commissioner Wilkinson

This task was assigned to the general manager with the consensus of the Board.

It was noted that GSG had provided estimated monthly hours and that Chairman Bauman had approved them.

- L. Update on past agenda items:
 1. FEMA FONSI Status
 2. Water Quality Testing
 3. Resolution of \$100K Loan repayment issue
 4. Site mitigation
 5. KLP vacant lot resolution
 6. Project request for FEMA deadline extension
 7. CDBG Grants and/or funds for private connections
 8. Procedures
 9. Web Site Development

M. Meeting Adjournment

Chairman Bauman adjourned 8:35 p.m.

KLWTD Board Meeting

July 7, 2004

Item LC 1

Haskell Notice of Delay

Faith Doyle

From: Thomas Dillon [thomasdillon@terranova.net]
Sent: Monday, June 28, 2004 11:26 AM
To: Chuck Fishburn
Cc: Jerry Wilkinson; Gary Bauman (E-mail); Faith Doyle; Cris Beaty (E-mail); Charles Brooks (E-mail); Andrew Tobin; Chuck Fishburn
Subject: Haskell delay

Chuck,

Haskell's monthly progress report No. 10 for May, 2004, shows a new projected date for substantial completion of November 7, 2005, which is 98 days later than the August 1, 2005 date for substantial completion anticipated in the contract preliminary schedule. It is likely that additional delays will occur.

In order to avoid further disputes, I am now changing the recommendation stated in my May 24, 2004 memorandum (copy attached). I am recommending that the District grant the entire 162 days requested by Haskell, subject to the conditions stated in the memorandum.

I think that you, as District General Manager, should request that Haskell prepare a change order (#2) changing the date of contract substantial completion to January 10, 2006 (August 1, 2005 plus 162 days). The change order should include the following recitations:

"Haskell acknowledges and agrees that the District does not concede that Haskell has provided sufficient information to allow the District to conclude that Haskell is entitled to additional contract time in any amount. The District is granting additional contract time as partial settlement of a disputed issue and in consideration of Haskell's agreement that it is waiving forever any claim that it might make for extended overhead and similar costs incurred on account of the additional contract time allowed.

"Further Haskell acknowledges and agrees that the District does not agree that Haskell has demonstrated entitlement to additional compensation for material, labor, or other cost increases, and the parties agree that these issues will be addressed at a later date."

Tom

6/28/04

Memo

To: Key Largo Wastewater Treatment District

From: Thomas M. Dillon

CC: District staff, Peter Kinsley

Date: 5/24/04

Re: Haskell Delay letter

Note: This memorandum constitutes attorney work product and attorney communications.

I attach for reference a letter dated 5/17/04, and received 5/18/04, from Peter Kinsley regarding delay issues.

Note that the memorandum of 3/31/04 was a memorandum to the District and not to Mr. Kinsley or Haskell, regarding issues raised by Haskell's earlier assertions of entitlement to additional time and additional compensation. To the best of my knowledge, the District has taken no action regarding these assertions.

By its letter of 5/17/04, Haskell has now confirmed in writing that it intends to limit its claim so as to seek reimbursement only for "direct material, labor and equipment cost increases." Haskell has confirmed further that any claim for delay will exclude a claim for reimbursement of overhead cost.

As noted in my memorandum of 3/31/04, I believe that there is no serious basis disagreement as to whether the project is behind schedule. I continue to believe that Haskell has not presented facts that would support the conclusion that the delays are due to causes entirely beyond Haskell's control, and Haskell continues to assert the contrary position. These positions should not prevent a partial resolution of the issues.

Although Haskell has requested 162 days of additional contract time, the most recent schedule in my possession (from the April 2004 Monthly Progress Report) shows substantial completion occurring on 9/16/05, as opposed to the contractual substantial completion date of 8/1/05, a difference of 46 days. I expect that additional delays will occur.

I recommend that the District prepare a Change Order, as follows:

1. Grant additional contract time of 90 days, resulting in a new substantial completion date of October 30, 2005;
2. Provide that the District will consider granting additional contract time, provided that the need for additional time is supported by scheduling information provided by Haskell;
3. Provide that the District's willingness to provide additional contract time based only on Haskell's need for additional time, and without demonstrating entitlement, causation, and quantum, is premised on Haskell's willingness to waive any claim for additional overhead and similar costs on account of the time granted;
4. Provide that the District and Haskell do not agree on the question of entitlement to additional compensation for material, labor, and cost increases, and that these issues will be addressed at a later time.

KLWTD Board Meeting
July 7, 2004

Item LC 3

Status of Lease for
Bank of America

Faith Doyle

From: Thomas Dillon [thomasdillon@terranova.net]
Sent: Wednesday, June 30, 2004 9:56 AM
To: Faith Doyle
Subject: Fw: Bank of America Key Largo space+

Faith, please insert this email in the agenda as support re B of A lease. Thanks, Tom
 ----- Original Message -----

From: Thomas Dillon
To: psmith@aboodwoodfay.com
Sent: Wednesday, June 23, 2004 12:08 PM
Subject: Re: Bank of America Key Largo space+

I have sent your email to the Board for review. I doubt that the Bank's position will be acceptable to the Board.
 Tom

----- Original Message -----

From: Pamela I. Smith
To: Thomas Dillon
Cc: Grace (AT HOME) Blanco
Sent: Tuesday, June 22, 2004 11:58 AM
Subject: RE: Bank of America Key Largo space+

I've received a response from B of A regarding your lease comments.

- 1) Base Rent needs to be expressed as \$13.00/sft per annum or \$1,625.00 per month.
- 2) Landlord is not willing to make the proposed changes to 14.1 Waiver or 14.2 Act of God or 14.33 Attorney's Fees.
- 3) Given that you are a government entity, we need to verify that the ADA bathroom is in compliance with code - could you also verify from your end that one of the existing bathrooms is ADA.
- 4) Please know that the building air conditioning presently runs from 7 am to 8 pm Monday through Friday. Although Jesus, the property manager, would be willing to leave the air on until 10 pm occasionally for your meetings any additional airconditioning hours would have to be billed to you.

Please let me have your comments/approval of the above in order to send you a final lease document. Thanks,

Pamela Ibañez Smith
Senior Commercial Associate
Abood Wood-Fay Real Estate Group/TCN Worldwide
Alhambra West
95 Merrick Way, Suite 380
Coral Gables, Florida 33134
Ph (305) 446-0011

Fax (305) 446-1907
psmith@aboodwoodfay.com

-----Original Message-----

From: Thomas Dillon [mailto:thomasdillon@terranova.net]
Sent: Monday, June 21, 2004 10:10 AM
To: psmith@aboodwoodfay.com
Cc: David Miles; Charles Fishburn; Andrew Tobin; Charles Brooks (E-mail); Cris Beaty (E-mail); Faith Doyle; Gary Bauman (E-mail); Jerry Wilkinson
Subject: Re: Bank of America Key Largo space+

Pam,

The Key Largo Wastewater Treatment District Board has asked me to begin negotiations with you for leasing the space on the second floor of the Bank of America building in Key Largo.

The District intends to subdivide a portion of the premises through the use of movable partitions, and to use a portion of the premises for meetings, including public meetings. The District holds public meetings at least two evenings/month, and has held occasional public meetings from time to time. All public meetings require public notice, and the District would provide notice to the Landlord so that air conditioning, etc., can be provided.

I have reviewed your lease form and made a few suggested changes to address the fact that the District is a public agency and to reflect our discussion regarding early termination. I have not calculated the monthly rent, and ask that you insert the same. Also, please provide Exhibits A and B.

Please review the attached form as revised, and let me have your thoughts.

Tom

----- Original Message -----

From: Pamela I. Smith
To: Thomas Dillon
Sent: Thursday, May 20, 2004 8:43 AM
Subject: RE: Bank of America Key Largo space+

Please forgive my terrible delay in tracking down this lease. Attached is a Master for your review.
Let me know if you are interested in proceeding with a lease for a two year term at a base rental rate of \$13.00 per square foot.

Regards,

Pamela Ibañez Smith
Senior Commercial Associate
Abood Wood-Fay Real Estate Group/TCN Worldwide
Alhambra West
95 Merrick Way, Suite 380
Coral Gables, Florida 33134
Ph (305) 446-0011
Fax (305) 446-1907
psmith@aboodwoodfay.com

6/30/04

-----Original Message-----

From: Thomas Dillon [mailto:thomasdillon@terranova.net]
Sent: Tuesday, May 11, 2004 9:18 PM
To: psmith@aboodwoodfay.com
Subject: Re: Bank of America Key Largo space+

Thanks, my fax number is 305-853-2693. Tom

----- Original Message -----

From: Pamela I. Smith
To: Thomas Dillon
Sent: Tuesday, May 11, 2004 5:45 PM
Subject: RE: Bank of America Key Largo space+

Pardon my delay in replying. I will obtain the lease document from the Landlord and try to get it to you ASAP.

Kind regards,

Pamela Ibañez Smith
Senior Commercial Associate
Abood Wood-Fay Real Estate Group/TCN Worldwide
Alhambra West
95 Merrick Way, Suite 380
Coral Gables, Florida 33134
Ph (305) 446-0011
Fax (305) 446-1907
psmith@aboodwoodfay.com

-----Original Message-----

From: Thomas Dillon [mailto:thomasdillon@terranova.net]
Sent: Monday, May 10, 2004 2:31 PM
To: Pamela Smith
Cc: Robert Sheets; EdRCastle@aol.com; David Miles; Charles Sweat; Charles Fishburn; Jeff Weiler; weiler7@comcast.net; Andrew Tobin; Charles Brooks (E-mail); Cris Beaty (E-mail); Gary Bauman (E-mail); Jerry Wilkinson; Faith Doyle
Subject: Bank of America Key Largo space+

Dear Ms. Smith,

You may recall speaking with me on the telephone regarding the space available for rent in the Bank of America Building at Key Largo. Per your instructions, I viewed the space, as have a number of Board members of the Key Largo Wastewater Treatment District.

The District is interested in renting the space. Can you please e-mail me your lease form and a summary of the commercial terms the Bank is willing to accept?

Thank you,
Thomas M. Dillon
305-304-6735

KLWTD Board Meeting July 7, 2004

Item LC 4

**Letter to the Supervisor of
Elections, Monroe County**



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

June 21, 2004

Harry L. Sawyer, Jr.
Supervisor of Elections
Monroe County, Florida
530 Whitehead Street, #101
Key West, Florida 33040-6577

Dear Mr. Sawyer:

At its meeting last evening, the Key Largo Wastewater Treatment District Board discussed issues regarding the upcoming general election to fill seats on the Board.

Please number the seats as follows:

Bauman Seat	#1
Beatty Seat	#2
Brooks Seat	#3
Tobin Seat	#4
Wilkinson Seat	#5

Pursuant to Section 5(2) of the Key Largo Wastewater Treatment District Act (2002-337) (the "Act"), the terms of the two incumbents who received the lowest numbers of votes in the 2002 election will expire this year and will be filled in the 2004 General Election. Those incumbents are Mr. Bauman (Seat #1) and Mr. Beatty (Seat #2). The seats will be filled by the two persons who receive the highest numbers of votes in the election.

As you know, Mr. Wilkinson (Seat #5) has resigned his seat effective November 1, 2004, and there will be a vacancy on the Board as of that date.

In its current form, Section 5(6) of the Act provides that in case of a vacancy on the Board due to resignation, the vacancy will be filled by a special election to be held within 30 days after the occurrence of the vacancy. However, the Act is in the process of being amended to provide that in the event of a vacancy, the Board will appoint a successor to serve until the next general election, and the elected successor will serve out the remainder of the unexpired term of the resigning Board member. The amending legislation (HB 1577) has been passed by the Legislature and was presented to the Governor on June 9. Unless vetoed, it will become law on June 24, 2004.

Assuming that HB 1577 becomes law, the Key Largo Wastewater Treatment District will not have time to fill the vacancy created by Mr. Wilkinson's resignation prior to the November 2, 2004 general election, and suggests that the vacancy be placed on the November 2 ballot as a third seat, to be filled by the candidate receiving the third highest number of votes.

If HB 1577 does not become law, then the vacancy will have to be filled by a special election held no later than December 2, 2004. The District suggests that even under the existing Act, the vacancy can be filled in the November 2, 2004 general election.

Cc:

**Lisa Moeller
Joyce Griffin**

Faith Doyle

From: Andrew Tobin [Tobinlaw@Terranova.net]
Sent: Monday, June 21, 2004 2:43 PM
To: Thomas Dillon; Charles Fishburn; Charles Brooks (E-mail); Cris Beaty (E-mail); Faith Doyle; Gary Bauman (E-mail); Jerry Wilkinson
Cc: Charles Fishburn
Subject: At large voting

All;

I have not read the legislation but according to our attorney naming the seats 1, 2, 3, 4, & 5, will not change the "at large" voting procedure that was used to form our board.

That means that if there is any opposition to any seat, everyone has to run. For instance if Seat 1 is doing a good job and Seat 2 is not, and someone decides to run because they are unhappy about Seat 2, they are actually running against both Seat 1 and Seat 2 because the top 2 vote getters fill the seats.

Its contrary to the way every other board is elected, and is counter-intuitive in my opinion.

I would like to discuss requesting a legislative amendment and request that it be included as an agenda item.

Thanks,

Andy

Andrew M. Tobin
P.O. Box 620
Tavernier, FL 33070
305-852-3388
Tobinlaw@Terranova.net

----- Original Message -----

From: Thomas Dillon
To: Andrew Tobin ; Charles Fishburn ; Charles Brooks (E-mail) ; Cris Beaty (E-mail) ; Faith Doyle ; Gary Bauman (E-mail) ; Jerry Wilkinson
Cc: Robert Sheets ; EdRCastle@aol.com ; David Miles ; Charles Sweat ; Charles Fishburn ; Jeff Weiler ; weiler7@comcast.net
Sent: Monday, June 21, 2004 10:16 AM
Subject: Re: draft letter to Sawyer

Andy,

Yes, I checked the Key Largo Wastewater Treatment District Act and found that in all elections after the first one, the two candidates receiving the highest numbers of votes will fill the seats.

The Act does not directly address the filling of vacancies. Therefore I have suggested, and Mr. Sawyer has agreed, that the candidate receiving the third highest number of votes can fill a vacancy. Because the seats are to be treated differently, I agreed that they should be numbered so that any voter information can clearly identify the seat becoming vacant.

I sent a draft letter to Mr. Sawyer on Thursday, and spoke with him. The attached revised letter went on Sunday. After he approves it, a final letter will be sent.

6/28/04

Tom

----- Original Message -----

From: Andrew Tobin

To: [Thomas Dillon](#) ; [Charles Fishburn](#) ; [Charles Brooks \(E-mail\)](#) ; [Cris Beaty \(E-mail\)](#) ; [Faith Doyle](#) ; [Gary Bauman \(E-mail\)](#) ; [Jerry Wilkinson](#)

Cc: [Robert Sheets](#) ; [EdRCastle@aol.com](#) ; [David Miles](#) ; [Charles Sweat](#) ; [Charles Fishburn](#) ; [Jeff Weiler](#) ; [weiler7@comcast.net](#)

Sent: Thursday, June 17, 2004 4:16 PM

Subject: Re: draft letter to Sawyer

Tom;

Did you ever resolve whether each seat is a separate election or the top voters fill the seats in accordance with their ranking. Does the legislation address the issue or is it something the Board must vote on?

Andy

Andrew M. Tobin

P.O. Box 620

Tavernier, FL 33070

305-852-3388

Tobinlaw@Terranova.net

----- Original Message -----

From: [Thomas Dillon](#)

To: [Charles Fishburn](#) ; [Andrew Tobin](#) ; [Charles Brooks \(E-mail\)](#) ; [Cris Beaty \(E-mail\)](#) ; [Faith Doyle](#) ; [Gary Bauman \(E-mail\)](#) ; [Jerry Wilkinson](#)

Cc: [Robert Sheets](#) ; [EdRCastle@aol.com](#) ; [David Miles](#) ; [Charles Sweat](#) ; [Charles Fishburn](#) ; [Jeff Weiler](#) ; [weiler7@comcast.net](#)

Sent: Thursday, June 17, 2004 10:09 AM

Subject: draft letter to Sawyer

I attach a draft letter to Supervisor Sawyer regarding the upcoming election. This is to be the basis for discussions with the elections office.

Tom

KLWTD Board Meeting

July 7, 2004

Item LC 5

Direct Purchase Procedures

DIRECT PURCHASE PROCEDURES

This document reflects the procedures needed to be finalized in order to conduct direct purchase activities:

1. Finalize list of direct-purchased equipment and materials. Haskell has provided lists on May 13, 2004 and June 22, 2004. The June 22, 2004 list is believed to be the final list recommended by Haskell. The District should review this list and determine whether it is the list of equipment and materials to be direct-purchased, or whether the District desires to add or delete any items.
2. Resolve to purchase the equipment and materials. The Board should adopt the attached resolution.
3. Draft a purchase order form. Request Haskell to submit a draft purchase order form incorporating Haskell's standard terms but to be issued in the name of the District for District review. The form should be in Word format.
4. Adopt procedures for processing invoices for direct-purchases of equipment and materials. I suggest that the invoices be sent to the District, which will immediately transmit them by facsimile to David Miles, who will prepare the checks for payment. Checks should be signed by Mr. Miles and sent to Mr. Fishburn to obtain additional authorized signatures. After signature, Mr. Fishburn should send all documents needed by Mr. Miles to facilitate accounting, and should mail the checks to the vendors.
5. Adopt procedures for processing change orders to reflect the savings in sales and use taxes.

KLWTD Board Meeting
July 7, 2004

Item A1 1

Approval of Resolution 2004-01
Direct Equipment Purchases

RESOLUTION 2004-01

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, ESTABLISHING A PROCEDURE FOR CONDUCTING DIRECT PURCHASE ACTIVITIES

WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District desire to establish a procedure for conducting direct purchase activities;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT:

1. Under the terms of that certain Design-Build Agreement between the Key Largo Wastewater Treatment District ("District") and The Haskell Company ("Haskell"), dated effective June 25, 2003, the District retained the right to direct-purchase equipment and materials to be incorporated into the work.
2. The District believes that by exercising its right of direct-purchase to the maximum practicable extent, the public interest will be served, since direct-purchase will avoid the imposition of sales and use taxes amounting to many thousands of dollars.
3. Haskell has used competitive processes to evaluate vendors and potential equipment and materials and to obtain market prices. Further efforts by the District to competitively procure these items would be disruptive to the procurement process already under way by Haskell and would be detrimental to the purpose of the Key Largo Wastewater Treatment District Act ("Act"). Therefore, the District determines under Fla.Stat. 189.441 that the purposes of the Act will be most effectively served by allowing Haskell to proceed with its normal procurement processes to identify and select equipment, materials, and vendors for these items.
4. The District General Manager will identify the specific equipment and materials to be direct-purchased by the District, considering the nature of the equipment and materials and the amounts of sales and use taxes to be avoided versus the costs of administering the direct-purchase program. It is the intent of the District to exercise its right to direct-purchase equipment and materials to the maximum extent practicable and beneficial to the District.
5. The District will issue purchase orders in the District's name for selected equipment and materials, using purchase order forms substantially identical to Haskell's normal purchase order forms, and incorporating all reasonable protections for the District. The District's Counsel is directed to review and approve the purchase order forms for that purpose.
6. Haskell will submit completed purchase orders for specific equipment and materials to the District General Manager for execution. Each such purchase order will be supported by backup, including the vendor quotation. If Haskell has considered more than one

vendor, Haskell will provide a copy of its internal documentation showing the basis for selection of the successful vendor, along with the purchase order form. The District General Manager is authorized to execute each purchase order form on behalf of the District.

7. The District General Manager is authorized to accept equipment and materials on behalf of the District after consultation with Haskell to ensure that the goods are conforming goods. With assistance from Haskell and the District Counsel, if needed, the District General Manager will take appropriate steps to ensure that the goods are inspected and that any claims for defective goods are made promptly and timely.
8. The District General Manager is responsible to coordinate with the District Chief Financial Officer to ensure timely and complete transmittal of all invoices, checks, and other materials needed to ensure that all purchases are properly accounted-for, all purchases will meet the formal requirements under state law for exemption from sales taxes, and all payments are made timely under the Florida Prompt Payment Act.
9. After payment by the District for direct-purchased equipment and materials, Haskell will prepare and submit to the District change orders reducing the contract price under the Design-Build Agreement by the prices paid for the direct-purchased equipment and any state and county sales tax avoided as a result of the direct purchases.

PASSED AND ADOPTED this 7th day of July, 2004.

**KEY LARGO WASTEWATER TREATMENT
DISTRICT GOVERNING BOARD**

Gary Bauman, Chair
Key Largo Wastewater Treatment District

Cris Beaty, Secretary
Key Largo Wastewater Treatment District

Approved as to legal form:

Thomas Dillon, Esq., Board Attorney
Key Largo Wastewater Treatment District

**KLWTD Board Meeting
July 7, 2004**

Item A1 2

**Approval of Work Authorization
WEC 04-01 for Development of an
RFP by Weiler Engineering
Corporation**

WORK AUTHORIZATION NO. WEC 04-02

a

Contract for Consulting/Professional Services Agreement Between the
Key Largo Wastewater Treatment District (KLWTD),
a legal entity and public body created by
Chapter 02-337, Laws of Florida, 2003

and

The Weiler Engineering Corporation

A. SCOPE OF SERVICE

Request for Qualifications For Design of a Wastewater Treatment System To Serve Lake Surprise and Surrounding Communities

Objective

The objective of this assignment is to produce a Request For Qualifications for design of the next wastewater project in the Key Largo Wastewater Treatment District, in cooperation with the District Manager and the District Board. Data from the Monroe County Sanitary Sewer Wastewater Master Plan for the areas north of the MM 100.5 WWTP site to the northern border of the Key Largo Wastewater Treatment District will be updated to reflect current costs and will be used to provide a working tool to help the KLWTD Board make informed decisions related to providing central wastewater treatment service to the residents of the Key Largo area. Due to the constraints of funding, the Board must schedule projects in a manner that matches the funding as it becomes available. The updated data from the Master Plan will provide guidance for the next phase of construction of the collection, transmission and treatment systems that will serve the District. Operating revenue will also be considered when recommending the technologies used in the phased expansion of the wastewater system.

Upon completion of the Update and Report Phase, Engineer will coordinate with the District Manager and District Attorney to prepare a request for qualifications (RFQ) and select a consultant to prepare construction plans, specifications and bidding documents for the Project.

Scope of Services

Update and Report Phase

Engineer shall coordinate with the District Manager and the Board to prepare a conceptual design and report that will generally include:

1. Consult with the District Manager and the Board to define and clarify the Board's requirements for the Project and available data.
2. Advise as to the necessity of additional data or services which are not part of ENGINEER's Basic Services, and assist District in obtaining such data and services.

3. Identify, consult with, and analyze requirements of governmental authorities having jurisdiction to approve the portions of the Project designed or specified by ENGINEER.
4. Identify and evaluate two (2) alternate solutions (conventional or vacuum), or combinations thereof, available to the District and, after consultation with the District and District staff, recommend to the Board those solutions which in ENGINEER's judgment meet District's requirements for the Project.
5. Prepare a report (the "Report") which will, as appropriate, contain schematic layouts, sketches and conceptual design criteria with appropriate exhibits to indicate the agreed-to requirements, considerations involved, and those alternate solutions available to District which ENGINEER recommends. This Report will be accompanied by ENGINEER's opinion of Total Project Costs for each solution which is so recommended for the Project with each component separately itemized.
6. Furnish 12 review copies of the Report to District within 30 days of authorization to begin services and review it with District.
8. Revise the Report in response to District's and other parties' comments, as appropriate, and furnish 12 final copies of the revised Report to the District within 30 days after completion of reviewing it with District.

And more specifically:

Conceptual Design

Overlay Property Appraiser maps on scaled aerials, showing locations of Hot Spots, existing collection systems and package plants as identified in the Monroe County Sanitary Wastewater Master Plan. Review the Study Areas defined in Technical Memorandum No. 6 and verify optimal configuration. Adjust the Study Areas if necessary to define collection basins, or service areas, for the KLWTD. Provide conceptual locations and flow capacities of remote pump stations, whether vacuum or conventional, and associated transmission mains.

Show proposed sizes and location of transmission mains along the US 1 corridor north of the MM 100.5 WWTP site, including highway crossings. All piping is to be sized with appropriate peaking factors, with cumulative build-out flow capacity to be considered. Evaluate friction losses and optimize performance of the transmission main system, considering pipe sizing, operating pressure and possible use of booster pump stations if needed. Show locations where service would be provided to properties with existing collection systems and pump stations. Identify larger commercial properties that may be better served with a force main.

Provide a conceptual footprint of the MM 100.5 site showing expansion to the regional plant. Verify the regional plant capacity at build-out and identify the influent design flow at which the switch to the regional plant structure would take place.

Opinion of Project Costs

Three cost components for each recommended expansion will be estimated. These components are: 1.) Service area collection system and pump station cost; 2.) Transmission main cost; and 3.) Treatment plant expansion.

1. For each service area in the District north of the MM 100.5 wastewater treatment plant site, update the collection system cost estimates from Technical Memorandum No. 6. Verify estimated quantities as listed in Appendix A with the boundaries of the Study Areas adjusted, if needed, to reflect the boundaries of the proposed collection basins. With quantities verified, the costs for design, permitting and construction of each service area will be estimated using unit pricing from bids recently received in Monroe County for similar projects.
2. The cost of the transmission main from each service area to the wastewater treatment plant site will be estimated using the unit pricing cited above. It is understood that the first phase of expansion will most likely include a section of transmission main that may pass adjacent to service areas to be

connected in future phases. Once the first phase of expansion is selected, the cost of certain other phases of expansion may be reduced if a properly sized transmission main passes adjacent to the property.

3. The expansion of the wastewater treatment plant will be determined by the flow contribution from the service area to be connected. The transition to a regional wastewater plant will occur at the design influent flow determined in the conceptual design. For the service area considered, the cost of the appropriate expansion of the wastewater treatment plant will be estimated, using unit pricing as discussed earlier.

Certain costs associated with this project may be outlined in the report which are not intended to be funded by the District or by public money such as service laterals or collection systems located on private property. It is not the intent of this report to establish policy or determine who is responsible for funding this project.

Recommendations

After the updated cost estimates are determined as described, recommendations will be made for the first phase of expansion. The recommendation to be implemented will be in the range of \$35 M or more.

In considering which service areas will be recommended, factors other than capital costs will be considered. The Lake Surprise – Sexton Cove area is ranked as the number 1 wastewater Hot Spot in the KLWTD and will be the focal point of the collection system area. The total service area will be determined by evaluation of construction costs and funding available. It will be assumed that approximately \$35 million will be available in funding. This amount, less the costs associated with construction of the transmission force main and the wastewater treatment plant expansion, will determine the extent of the collection system service area. The potential for providing points of connection for properties with existing wastewater collection systems along the transmission force main route will also be considered as a potential operating revenue source for the District..

The recommendation will include a base service area and plant expansion, and will identify additional adjacent service areas that can be added to adjust the total project cost incrementally to the available funding. The estimates will also include a table identifying estimated annual wastewater system operation and maintenance costs for the District at completion of the phase versus the estimated total annual sewer revenue generated. The revenue generated from the connection fees will also be tabulated. Revenue estimates will be based on the targeted monthly sewer bill of \$35.00 per EDU and the targeted connection fee of \$2,700 per EDU.

Request for Qualifications Phase

Upon completion of the update and report, Engineer incorporate the Report and will coordinate with District Manager and District Attorney to prepare a Scope of Work and a request for qualifications (RFQ) to select a Consultant to prepare construction plans, specifications and bidding documents for the Project.

Services for this phase will generally include:

1. With assistance from the District Manager, District Attorney and the Board, prepare a contract based on the existing general contract used by the Board and incorporate the scope of work and supplementary conditions developed as part of the Update and Report Phase.
2. Assist the District Manager with advertising for requests for qualifications and evaluating proposals for the Work and maintain a record of proposers to whom Documents have been issued.
3. Attend a pre-submittal conference and record minutes.
4. Issue Addenda as appropriate to clarify, correct, or change the Documents.

5. Consult with District as to the acceptability of subcontractors, suppliers, and other individuals and entities proposed by Consultant for those portions of the Work as to which such acceptability may be required by the Documents.
6. Assist District Manager, District Attorney and Board in evaluating proposals.
7. Assist District Manager, District Attorney and Board with assembling and awarding contract for the Work.

Design Review Phase

Study and Report Phase

Services during the study and report phase will generally include:

1. Consult with KLWTD to define and clarify KLWTD's requirements for the Project and available data.
2. Upon review of the initial information including Construction Contracts, permits, plans, specifications, reports and other available data, advise KLWTD as to the necessity of KLWTD's providing data or services which are not part of WEC's and or the Consultant's Basic Services, and assist KLWTD in obtaining such data and services.
3. Identify, consult with, and analyze requirements of governmental authorities having jurisdiction to approve the portions of the Project, including but not limited to mitigating measures identified in the environmental assessment.
4. Identify and evaluate alternate solutions available to KLWTD and provided by CONSULTANT, after consultation with KLWTD, recommend to KLWTD those solutions which in WEC's judgment meet KLWTD's requirements for the Project.
5. Review a Preliminary Design Report (the "Report") prepared by the CONSULTANT which will, as appropriate, contain schematic layouts, sketches and conceptual design criteria and an opinion of probable cause with appropriate exhibits to indicate the agreed-to requirements, considerations involved, and those alternate solutions available to KLWTD which CONSULTANT recommends.
6. Provide comments, request for additional information and recommendations to CONSULTANT for final inclusion in the Report.

B. WEC's services under the Study and Report Phase will be considered complete on the date when the final copies of the revised Report have been accepted and approved by the KLWTD.

Preliminary Design

- A. After acceptance by KLWTD of the Report, selection by KLWTD of a recommended solution and indication of any specific modifications or changes in the scope, extent, character, or design requirements of the Project desired by KLWTD, and upon written authorization from KLWTD, WEC shall:
 1. Review Preliminary Design Phase documents consisting of final design criteria, preliminary drawings, outline specifications and written descriptions of the Project.
 2. Review necessary field surveys and topographic and utility mapping for design purposes.

3. Advise KLWTD if additional reports, data, information, or services are necessary and assist KLWTD in obtaining such reports, data, information, or services.
4. Review an adjusted opinion of probable cost and make recommendations to the KLWTD.
5. Perform or provide the following additional Preliminary Design Phase tasks: None
6. Receive the Preliminary Design Phase documents and review them with KLWTD.
7. Provide comments, request for additional information and recommendations to CONSULTANT for final inclusion in the Preliminary Design Phase documents.

B. WEC's services under the Preliminary Design Phase will be considered complete on the date when final copies of the Preliminary Design Phase documents have been accepted and approved by the KLWTD.

Final Design

A. After acceptance by KLWTD of the Preliminary Design Phase documents and revised opinion of probable Construction Cost WEC shall:

1. Review final Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor.
2. Review technical criteria, written descriptions, and design data provided by the CONSULTANT for KLWTD's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the Project and assist KLWTD in consultations with appropriate authorities.
3. Advise KLWTD of any adjustments to the opinion of probable Construction Cost and any adjustments to Total Project Costs known to WEC or provided by CONSULTANT.
4. Receive the Final Design Documents and provide comments, request for additional information and recommendations to CONSULTANT for final inclusion in the in the Final Design Phase documents.

B. WEC's services under the Final Design Phase will be considered complete on the date when the submittals have been accepted and approved by the KLWTD.

Summary of Deliverables

- Scaled aerials with Appraisers map overlay for the North Key Largo Area, identifying Hot Spots, existing collection systems, conceptual locations of future pump stations and transmission mains – 2 full size sets and 10 reduced sets.
- Updated cost estimates for service areas identified in Technical Memorandum No. 6 in the North Key Largo area, with updated costs based on unit costs received for projects recently bid in Monroe County.
- Update and Report – Narrative report summarizing activities, assumptions used, conclusions reached. Will include a summary of the project recommendation and the recommended flow at which phasing to the regional WWTP will take place. A conceptual transition plan from skid-mount package plants to the regional plant will be provided. A discussion of the relative merits of Design/Build versus conventional Design/Bid/Build approaches to project implementation will also be included.

- Project Recommendation – for a base project of approximately \$35 M with incremental service areas identified to increase or decrease scope to match the available funding. This recommendation will include a conceptual transition plan from skid-mount package plants to the regional plant.
- Request for Qualifications – assist the District manager and the District Attorney with the preparation of the request for qualifications and to evaluate the respondents and choose the most qualified Consultant.
- Design Review – assist the District and District staff throughout the design and permitting process to evaluate the designs and submittals provided by the successful Consultant.

B. PROJECT COST

The cost of performing the scope of work described for North Key Largo is \$84,835.00. The proposal is lump sum based on the estimated times allocated for each task listed below. If the scope of work is changed, the lump sum cost of the task will be adjusted accordingly.

Task Description	Principal @ \$125	Engineer @ \$105	Engineer @ \$105	EI or RPR @ \$85	Sr. Designer @ \$75	Clerical @ \$35	SubTotal
Update Report Phase 1							
Research & Site Investigations	4	16	16	25			\$5,985.00
Identify Existing Systems	1	16	16	24			\$5,525.00
Assumptions & Design Calculations	1	16	16	8			\$4,165.00
Master Plan Reconciliation	2	4	8	8			\$2,190.00
Service Areas Definitions and Estimates	2	8	8	16	20		\$4,790.00
Conceptual WWTP Plans and Estimates	4	40	16	40	32		\$12,180.00
Production of service area plans	1	4	16	0	6		\$2,675.00
Transmission Main Locations and Estimates	1	8	4	2	10		\$2,305.00
Scope of work and supplementary conditions	1	8	8	0		12	\$2,225.00
Request for Proposals Phase 2							
Evaluate responses, check references, etc.	2	10	5	20		4	\$3,665.00
Pre-submittal Meeting	2	8	8	8		4	\$2,750.00
Ranking and recommendations	2	8	8			4	\$2,070.00
Design Review Phase 3							
Design review and comments, 4 submittals	8	64	72	12		2	\$16,370.00
Design review meetings, 4	8	32	32	4		2	\$8,130.00
Status reports to Board	8	40	40	4		2	\$9,810.00
SubTotals	47	282	273	171	68	30	

**Total
Cost = \$84,835.00**

PROJECT SCHEDULE

KLWTD
Work Authorization No. 4
July, 2004
Page 6

Work on this project will be begun on receipt of the executed Work Authorization. The scope of work and submission of the deliverables for Phase 1 and preparation of the RFP for Phase 2 will be completed no later than four (4) calendar months after authorization to proceed. The remainder of phase 2 and phase 3 will progress according to criteria established by the Board and District staff. Progress on the project will be reported at the regularly scheduled KLWTD Board meetings and in the Engineer's Status Report each month.

C. NOTICE/PROJECT MANAGER OF CONSULTANT

R. Jeff Weiler, President
Weiler Engineering Corporation
20020 Veterans Blvd, Ste 7-9
Port Charlotte, FL 33954

Gary Bauman, Chairman
KLWTD
Post Office Box 491
Key Largo, FL 33037

Charles Fishburn, General Manager

Certification that Sufficient Funds are Available:

David R. Miles, Chief Financial Officer

Cris Beaty, KLWTD Secretary

Dated this ____ day of _____, 2004.

**KLWTD Board Meeting
July 7, 2004**

Item A1 3

**Approval of Amendment No. 1 to
WEC's Contract for
Consulting/Professional Services**

AMENDMENT NUMBER ONE
TO
CONTRACT FOR CONSULTING/PROFESSIONAL SERVICE

THIS AMENDMENT NUMBER ONE to the contract between the Key Largo Wastewater Treatment District (District) and The Weiler Engineering Corporation (Consultant) is effective on June 25, 2004.

WHEREAS, effective August 27, 2003, District and Consultant entered into a written agreement for consulting/professional services services; and

WHEREAS, the parties desire to amend the agreement to reflect a change in the management of the District;

NOW, THEREFORE, the parties agree as follows:

1. The District's Representative and System Manager is:

Charles F. Fishburn, General Manager
Key Largo Wastewater Treatment District
P.O. Box 491
Key Largo, Florida 33037 —

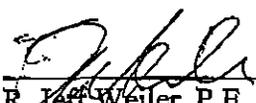
2. Consultant shall send invoices to Mr. Fishburn, and shall also send copies to David Miles of Government Services Group, Inc., 280 Wekiva Springs Road, Suite 203, Longwood, FL 32779.

IN WITNESS WHEREOF the parties have signed this amendment on the dates opposite their names:

KEY LARGO WASTEWATER
TREATMENT DISTRICT

WEILER ENGINEERING CORPORATION

By: _____
Gary Bauman
Chairman

By:  _____
Name: R. Jeff Weiler, P.E.
The Weiler Engineering Corporation

Date: _____

Date: 6-25-04

KLWTD Board Meeting

July 7, 2004

Item CFO 1

Approval of the Payments Pending List



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

TO: Key Largo Wastewater Treatment District Board Members

CC: Charles Fishburn, General Manager
Robert Sheets, CEO GSG, Inc.
Faith Doyle, Clerk to the Board
Charles Sweat, Director of Operations
Thomas Dillon, Board Attorney

FROM: David R. Miles, Director of Finance

DATE: June 29, 2004

RE: Pending Payments Key Largo Wastewater Treatment District

Dear Commissioners:

This agenda item is designed to provide an update on the financial status of the Key Largo Wastewater Treatment District. As of June 29, 2004 the District had \$48,862.51 in its bank account. We have \$35,621.69 in invoices and payroll payments in-hand for payment by July 21, 2004. Exhibit A is the list of currently outstanding invoices pending payment. As requested by the Board at the January 14, 2004 meeting, separate accounting of cash balances are shown as follows as of June 8, 2004:

Administration & Operations:	\$175,047.23
Key Largo Park:	(47,014.58)
Key Largo Trailer Village:	<u>(79,170.14)</u>
Total	\$ 48,862.51

A request for \$129,607.00 for Monroe County matching funds for use in the Key Largo Park project, submitted March 23, 2004 is still pending. A follow-up letter was sent May 27, 2004. We have also followed up numerous times with George Garratt telephonically. This funding is essential to get the KL Park cash flow in the black.

Draw Request number 3 in the amount of \$41,390.28 for the FY 2004 MSTU funds was submitted to Monroe County on May 28, 2004 covering March, April and May disbursements by the District. Payment by the Monroe County Clerk of Court is expected to be made on June 30, 2004.

Board of Commissioners: Chairman Gary Bauman, Andrew Tobin, Cris Beaty, Charles Brooks, Jerry Wilkinson

A request was prepared to draw down an additional \$450,000 advance from FKAA in FEMA Phase I funds in order to meet significantly larger draws from the Haskell Company. FKAA has informed the District that Miles Anderson of DCA has directed that no additional Phase I draws will be paid by FKAA to KLWTD, since the Phase II agreement is in the hands of the KLWTD. I have confirmed that with Miles Anderson. He is on vacation this week, but called to set up a meeting with the financial staff during the week of July 12 to discuss closeout of FEMA Phase I and drawdown of FEMA Phase II funds.

I have obtained the following information, current as of June 29, 2004 from the Monroe County Clerk of Courts Office pertaining to the status of the Key Largo WWTD MSTU funds:

Balance Collected to Date by Clerk:	\$ 763,863.63
Less Five Percent (5%) statutory deduction	- 38,193.18
Less Three Percent (3%) tax collector fee	- <u>22,915.91</u>
Net Available to KLWTD	\$ 702,754.54
Less Payments Received to Date	- <u>297,287.50</u>
Balance Forward Available	\$ 405,467.04
Less Draw #3 Pending Payment by Clerk	- <u>41,390.28</u>
Balance Available for June 1 and Later Expenses	\$ <u>364,076.76</u>

**Key Largo Wastewater Treatment District
Payments Pending, July 7, 2004
Prepared June 29, 2004**

Date of Invoice	Vendor	Invoice #	Description	Payment Category	Invoice Amount	Date Due	Date Paid
Cash Balance Forward for Administration & Operations					\$ 175,047.23		
Total Available					\$ 175,047.23		
06/04/04	Bell South	305453-17100010449	Telephone Bill June 4-July 3	1	\$ 44.38	7/4/04	
06/10/04	Bell South	305451-51058040446	Telephone Bill June 10-July 9	1	38.08	7/1/04	
06/04/04	Governmental Services Group, Inc.	03021-7758	KLWVTD Management Fee for May 2004	1	10,800.00	Upon Receipt	
06/23/04	June Rent	None	June rent to be paid to George Scott	1	700.00	Upon Receipt	
06/23/04	July Rent	None	July rent to be paid to George Scott	1	700.00	Upon Receipt	
06/23/04	Labor Office Furniture Move	None	Paid by Chuck Fishburn	1	60.00	Upon Receipt	
06/23/04	Supplies and Equipment, Misc.	None	Paid by Chuck Fishburn, computer, laser copier, etc.	1	2,109.15	Upon Receipt	
06/30/04	Andrew Tobin	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Gary Bauman, Chairman	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Cris Beaty	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Charles Brooks	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Jerry Wilkinson	Payroll	June 2004	1	600.00	07/06/04	
06/30/04	Chuck Fishburn, General Manager	Payroll	June 2004	1	7,667.00	07/06/04	
06/30/04	Internal Revenue Service	FICA & Medicare	Employer Share, Payroll Taxes	1	861.93	07/06/04	
Total Invoices for Administration & Operations					25,980.54		
Balance Forward if All Admin & Operations Invoices Paid					\$ 149,066.69		
Cash Balance Forward for Key Largo Park					\$ (47,014.58)		
06/29/04	Weiler Engineering Corp.	35323	May 26-June 22, 2004 Invoice KL Park	2	\$ 3,987.50	Upon Receipt	
Total Invoices for Key Largo Trailer Park					\$ 3,987.50		
Balance Forward if All Key Largo Park Invoices Paid					\$ (51,002.08)		
Cash Balance Forward for Key Largo Trailer Village					\$ (79,170.14)		
06/29/04	Weiler Engineering Corp.	35324	May 26-June 22, 2004 Invoice KL Trailer Village	3	\$ 5,653.65		
Total Invoices for Key Largo Trailer Village					5,653.65		
Balance Forward if All Key Largo Trailer Village Invoices Paid					(84,823.79)		
Total All Invoices					\$ 35,621.69		

Approved for Payment:

Gary Bauman, KLWTD Chair

Cris Beaty, KLWTD Secretary

Date

Payment Category Key:

1- District Administration

2- Key Largo Park Construction

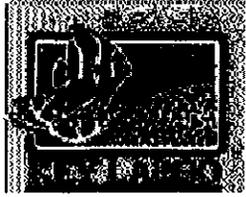
3- Key Largo Trailer Village Construction

KLWTD Board Meeting

July 7, 2004

Item CFO 2

Status of the Annual Budget Process



**KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105**

TO: Key Largo Wastewater Treatment District Board Members

CC: Charles Fishburn, General Manager
Faith Doyle, Clerk to the Board
Thomas Dillon, Board Attorney

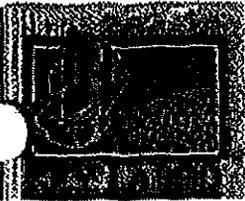
FROM: David R. Miles, Director of Finance

DATE: July 1, 2004

RE: FY 2005 Budget Preparation

Dear Commissioners:

Attached is a copy of approved Resolution 2003-19, which provided Operating and Capital Budgets adopted by the Board of Directors for the fiscal year ending September 30, 2004 for your review. This budget will be used as a guide to prepare the FY 2005 Operating and Capital Budgets. The first draft of the proposed FY 2005 Budget will be presented for the Board's consideration at the July 21, 2004 Board of Directors meeting.



**KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491, KEY LARGO, FLORIDA 33037
(305) 451-5105**

TO: Key Largo Wastewater Treatment District Board Members

CC: David R. Miles, Chief Financial Officer
Faith Doyle, Clerk to the Board
Charles Sweat, Director of Operations
Terry Lewis, Board Attorney
Amy Dukes, Board Attorney

FROM: Robert E. Sheets, General Manager

DATE: September 10, 2003

RE: FY 2003-2004 Budget Adoption

Dear Commissioners:

Attached is Resolution 2003-19, which provides the proposed Operating and Capital Budgets for adoption by the Board of Directors for the fiscal year that starts October 1, 2003 and ends September 30, 2004. This budget was advertised in the Key West Citizen on September 5, 2003 as required by law, and in the Free Press on September 3, 2003 for the convenience of the Key Largo residents. Proofs of publication are attached to the resolution as Exhibit C.

The Operating Budget provides for estimated revenue and balances forward of \$614,022 and estimated expenses of \$528,853. The Capital Budget for Key Largo Park provides for estimated revenue of \$3,598,957 and estimated expenses of \$3,598,957. The Capital Budget for Key Largo Trailer Village provides for estimated revenue of \$9,000,001 and estimated expenses of \$8,983,187. The total budget for FY 2003-2004 is therefore \$13,212,980 in estimated revenue and balances forward and \$13,110,997 in estimated expenses.

RECOMMENDATION:

The Board is requested to approve the FY 2003-2004 budget through passage of resolution 2003-19.

Board of Directors: Chairman Andrew Tobin, Gary Bauman, Cris Beaty, Charles Brooks, Jerry Wilkinson

RESOLUTION NO. 2003-19

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT ADOPTING THE BUDGETS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2004 FOR THE DISTRICT LOCATED IN MONROE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR THE MANAGER TO EXPEND FUNDS ON BEHALF OF THE DISTRICT; PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

BE IT RESOLVED BY THE KEY LARGO WASTEWATER TREATMENT DISTRICT:

SECTION 1. DISTRICT.

(A) Pursuant to Chapter 2002-337, the Laws of Florida, Relating to Establishment of the Key Largo Wastewater Treatment District, dated May 23, 2002, the Board of Directors of the Key Largo Wastewater Treatment District (the "Board") has all the power to carry out the purposes of the Statute. Such powers include the District to acquire, construct, own, manage and operate, contract for management and operational services, dispose of, improve, expand and to have exclusive control and jurisdiction over wastewater utility production, treatment, collection, distribution and disposal facilities and systems within Key Largo, Monroe County, Florida.

(B) Government Services Group, Inc. (the "Manager"), or its assignee, has been engaged to provide management services to the Key Largo Wastewater Treatment District (the "District "). Robert E. Sheets and David R. Miles, as employees of Government Services Group, Inc., have been respectively designated by the Board to act as the Manager and Chief Financial Officer on behalf of the District .

(C) Pursuant to the Chapter 189.417, Florida Statutes notice of the meeting in which the annual budget is to be adopted was published at least seven (7) days prior to the date of the hearing. The proofs of publication are attached hereto as Exhibit C.

SECTION 2. ADOPTION OF THE BUDGET AND AUTHORIZATION TO EXPEND FUNDS.

(A) The Key Largo Wastewater Treatment District KLWTD Utility System Operating Budget, and Capital Improvement Program Budget for the Fiscal Year ending September 30, 2004 attached hereto as Exhibits A, and B, respectively, are incorporated herein and are hereby adopted. Collectively, the Operating Budget and the Capital Improvement Program Budget shall be hereinafter known as the "Budgets."

(B) The Manager is hereby authorized to expend funds of the District for official purposes in the operation, maintenance, billing, customer services, construction, debt service payment, capital improvements and other business activities of the District in accordance with the adopted Budgets.

(C) No contract or other commitment of funds, written or verbal, shall be entered into without the approval of the Chief Financial Officer, as to availability of sufficient budget and current or projected availability of cash. When such approval is given, the Chief Financial Officer shall so indicate this action in the financial records of the District so as to restrict those funds from being used for other expenditures prior to the completion of the commitment for which the funds were approved. The Chief Financial Officer may adjust the actual restricted amount as he determines that such a change is warranted due to the activities related to the commitment.

(D) The Operating Budget contains the following categories of Operating Revenue, Operating Expenses, and Non-Operating Expenses. The amounts shown within such categories are established as a target level for each specific type of revenue or expenditure indicated. Recognizing that the items listed in the Budgets may actually be higher or lower than those estimated, the Chief Financial Officer is authorized to reallocate the adopted Budgets within each category. Allocation of funds from one category to another is prohibited. Unless otherwise provided herein, or by an amending resolution adopted by the Board, only the Board is authorized to increase the budgeted amounts for a category.

(E) The Manager is authorized to spend funds not in the Budgets in the event of an emergency related to the KLWTD Utility System which is reasonably believed may result in danger or injury to persons, damage to assets of the District, or the material loss of the District to provide wastewater services. As quickly as possible, the Manager or Chief Financial Officer shall report to the Chairman any such actions taken or to be taken in such circumstances. However, such communication shall occur no later than 24 hours after such actions or events.

(F) The Chief Financial Officer shall notify the Board when he determines that the actual revenues of a utility system are likely to be significantly less than those

indicated in the adopted Budgets and shall also prepare proposed revised Budgets for the Board's review and consideration.

(G) Pursuant to Resolution 2003-18, any contract in excess of \$2,500, other than emergency contracts as provided in Section 2(E) of this Resolution, must be approved by the Board prior to entering into such contract.

(H) Pursuant to Resolution 2003-18, any work order equal to or in excess of \$2,500, for a professional services contract previously approved by the Board, must be approved by the Board prior to accepting such a work order. Those work orders less than \$2,500 for such contracts do not require prior Board approval but will be presented to the Board for ratification.

(I) The Board authorizes the Manager and Chief Financial Officer to do all acts and things required of them by this Resolution and the Budget, for the full, punctual and complete performance thereof, and the Chairman and each member of the Board, officers, attorneys and other agents of the District are hereby authorized and directed to execute and deliver any and all papers and instruments and to do and cause to be done all acts and things necessary or proper for carrying out the Budgets and transactions contemplated by this Resolution, or Florida Statutes.

SECTION 3. APPLICABILITY AND EFFECTIVE DATE. This Resolution shall be liberally construed to effect the purposes hereof and shall take effect on October 1, 2003.

PASSED AND DULY ADOPTED at the meeting of the Board of the Key Largo Wastewater Treatment District, on the 17th day of September, 2003.

KEY LARGO WASTEWATER TREATMENT DISTRICT

ATTEST:

BY: _____
Chairman

Secretary-Treasurer

Exhibit A

Key Largo Wastewater Treatment District

Five Year Operating Forecast

	Estimate FY 2003	Forecast			
		FY 2005	FY 2006	FY 2007	FY 2008
OPERATING REVENUE					
Wastewater System Fees	\$ -	\$ 6,300	\$ 283,340	\$ 263,340	\$ 263,340
MSTU Revenue	-	617,548	636,075	655,157	674,803
Interest Income	200	5,300	12,100	20,400	20,800
Loan Proceeds	100,000	-	-	-	-
Grant Proceeds	250,425	-	-	-	-
Miscellaneous	2,000	3,000	3,500	4,000	4,500
Subtotal Operating Revenue	\$ 352,625	\$ 632,148	\$ 916,015	\$ 942,897	\$ 963,443
NON-OPERATING REVENUE					
Capital Recovery (connection Impact) Fees	-	81,000	1,611,900	-	-
Subtotal Non-Operating Revenue	-	81,000	1,611,900	-	-
Total Revenues	\$ 352,625	\$ 713,148	\$ 2,526,915	\$ 942,897	\$ 963,443
OPERATING EXPENSES					
Board Expenses					
Board Meetings Compensation	38,900	45,000	45,000	45,000	45,000
Payroll Taxes	2,800	3,500	3,500	3,500	3,500
Copy/Delivery Charges	8,000	8,200	8,450	8,700	8,950
Postage	2,700	4,400	4,530	4,675	4,800
Insurance	7,500	12,000	12,360	12,730	13,110
Bad Debts	-	100	2,630	2,630	2,630
Miscellaneous	1,200	1,850	1,900	1,960	2,020
Newspaper Legal Ads	1,800	2,975	3,075	3,170	3,260
Office Supplies	500	825	850	875	900
Dues & Subscriptions	175	325	350	375	400
Travel	2,500	4,600	4,700	4,850	5,000
Rents & Leases	-	7,400	7,625	7,850	8,100
Telephone	300	620	640	660	680
Utilities	-	2,225	2,300	2,370	2,440
Regulatory/Permit Fees	500	2,000	2,000	2,000	2,000
Reserve for Contingencies	40,500	7,893	12,017	16,266	20,642
Operating and Management Services					
Operations & Maintenance Contract	-	4,500	190,850	196,575	202,475
Billing & Customer Service Contract	-	550	23,125	23,820	24,530
Management Contract	77,300	129,600	129,600	129,600	129,600
Professional Services					
Legal - General Counsel	100,000	61,800	63,654	65,564	67,531
Legal - Litigation Reserve	-	49,440	50,923	52,451	54,024
Utility Rate Consultant	15,000	-	-	-	-
Engineering Services	32,000	-	-	-	-
Audit Fees	10,000	10,800	10,900	11,200	11,560
Lab Services	-	1,000	5,000	5,150	5,300
Grant Specialist	-	27,810	28,644	29,504	30,389
Special Projects	-	125,660	129,430	133,313	137,312
Computer Support	-	5,000	5,000	5,000	5,000
Total Operating Expenses	339,675	619,873	749,054	769,787	791,153
NON-OPERATING EXPENSES					
Capital Expenditures from Operating Account	5,000	7,000	7,000	7,000	7,000
Renewal and Replacement Transfer	-	4,365	13,167	13,167	13,167
Debt Service Transfer (Monroe County \$100,000 Loan)	-	21,525	21,525	21,525	21,525
Total Non-Operating Expenses Paid From Operating Revenue	5,000	32,890	41,692	41,692	41,692
Debt Service Transfer (Monroe County FEMA Match- \$914,285)	-	-	-	91,429	91,429
Total Non-Operating Expenses Paid From Non-Operating Revenue	-	-	-	91,429	91,429
Total Non-Operating Expenses	5,000	32,890	41,692	133,121	133,121
Total Expenses	\$ 344,675	\$ 552,763	\$ 790,746	\$ 902,908	924,274
Total Operating Surplus	7,950	79,386	124,270	131,418	130,598
Total Non-Operating Surplus (Deficit)	-	81,000	1,611,900	(91,429)	(91,429)
Total Fund Surplus/(Deficit)	7,950	160,386	1,736,170	39,989	39,169
Cumulative Fund Surplus	7,950	245,545	1,981,715	2,021,704	2,060,873

Exhibit B

**Key Largo Capital Budget
FY 2003-FY 2005
Prepared June 16, 2003**

	Key Largo Park	Key Largo Trailer Village	Total
Revenue (Sources of Funds):			
Federal:			
FEMA Phase I	-	1,097,143	1,097,143
FEMA Phase II	-	4,388,571	4,388,571
Subtotal Federal:	\$ -	\$ 5,485,714	\$ 5,485,714
State:			
FDEP	1,660,000	-	1,660,000
FDEP II	187,312	-	187,312
SFWMD	-	100,000	100,000
DCA- Cess Pit Grant	690,445	535,155	1,225,600
DCA- Unmet Needs	-	914,286	914,286
Subtotal State:	\$ 2,537,757	\$ 1,549,441	\$ 4,087,198
Local:			
304 Fund FEMA Phase 1&2 Match	-	914,285	914,285
148 Fund	356,000	-	356,000
304 Cess Pit Fund	705,200	224,327	929,527
304 Land Purchase	-	826,234	826,234
Subtotal Local:	\$ 1,061,200	\$ 1,964,846	\$ 3,026,046
Total Funds Available:	\$ 3,598,957	\$ 9,000,001	\$ 12,598,958
Expenses (Proposed Uses):			
Construction:			
Vacuum Collection System Construction	1,097,000	5,311,489	6,408,489
Tie-in To Trailer Village/Vacuum Valves	60,000	-	60,000
Proportion Share KL Village WWTP	600,000	2,058,511	2,658,511
Future Construction	1,336,957	-	1,336,957
Subtotal Construction	\$ 3,093,957	\$ 7,370,000	\$ 10,463,957
Management/Design:			
Planning, Design, Permitting, & Bidding	355,000	386,953	741,953
Construction Management & Administration	150,000	400,000	550,000
Land Purchase	-	826,234	826,234
Subtotal Management/Design	\$ 505,000	\$ 1,613,187	\$ 2,118,187
Total Estimated Project Costs	\$ 3,598,957	\$ 8,983,187	\$ 12,582,144
Balance Available:	\$ -	\$ 16,814	\$ 16,814

Exhibit C

18215

NOTICE OF BUDGET HEARING

The Key Largo Wastewater Treatment District will hold a public hearing on September 17, 2003 at 4:00 pm at the Key Largo Civic Club, 209 Ocean Bay Drive, Key Largo, Florida for the purpose of accepting public input on the FY 2004 budget. Following completion of the public hearing, a final decision will be made on the budget.

FLORIDA MONROE

signed authority personally appeared Randy G. Erickson, who is Vice-President of Advertising Operations of the Key West Citizen newspaper published in Key West, in Monroe County, Florida, attached copy of advertisement, being a legal notice in the

matter of Notice of Budget Hearing

In the Monroe Court, was published in said newspaper in the issues of September 5, 2003

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida every day and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

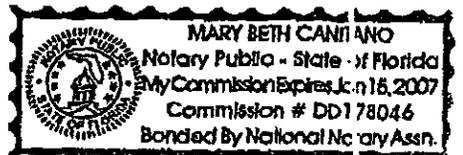
[Signature]
Signature of Affiant

Sworn and subscribed before me this 8 day of September, 2003

[Signature]
Mary Beth Canitano, Notary Public

Expires: January 15, 2007

Notary Seal



Personally Known x Produced Identification _____
Type of Identification Produced _____

INTERNET PUBLISHING
keywest.com
keynews.com
Roridakeys.com
key-west.com
Web Design Services

NEWSPAPERS
The Citizen
Southernmost Flyer
Solares Hill
Big Pine Free Press
Marathon Free Press
Islamorada Free Press
Key Largo Free Press
Ocean Reef Free Press
Seaport Log

MAGAZINE
The Man
Home Guide
Citizen Local's Guide
Paradise
Keys TV Channel Guide

MARKETING SERVICES
Commercial Printing
Citizen Locals Card
Direct Mail

FLORIDA KEYS OFFICES
Printing / Main Facility
3420 Northside Drive
Key West, FL
33940-1800
Tel 305-282-7777
Fax 305-294-0788
cibson@keywest.com

Internet Division
1201 White Street (Suite 103)
Key West, FL
33940-3328
Tel 305-282-1880
Fax 305-294-1699
salos@keywest.com

Middle Keys Office
6383 Overseas Hwy
Marathon, FL (MM 52.5)
33950-3342
Tel 305-743-8766
Fax 305-743-8877
navigator@floridakeys.com

Upper Keys Office
81949 Old Hwy
PO Box 488
Islamorada, FL (MM 81.5)
33038-0488
Tel 305-864-2288
Fax 305-864-8411
freopress@floridakeys.com

Ocean Reef Office
3A Barmuda Lane
Key Largo, FL 33037
Tel 305-367-4911
Fax 305-367-2191

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NOTICE OF BUDGET HEARING

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September 2, 2003

Key Largo Wastewater Treatment District Budget FY 2004

	FY 2004		FY 2003-2005 Capital Program	
	Operating Budget	Key Largo Park	Key Largo Trailer Village	Total
Balances Forward:	\$ 7,960	\$ -	\$ -	\$ 7,960
Revenue (Sources of Funds):				
Federal:				
FEMA Phase I	-	-	1,097,143	1,097,143
FEMA Phase II	-	-	4,388,571	4,388,571
Subtotal Federal:	\$ -	\$ -	\$ 5,485,714	\$ 5,485,714
State:				
RDEP	-	1,660,000	-	1,660,000
RDEP II	-	187,312	-	187,312
SPWMD	-	-	100,000	100,000
DCA Cess Pit Grant	-	690,445	535,155	1,225,600
DCA Unmet Needs	-	-	914,286	914,286
Subtotal State:	\$ -	\$ 2,537,757	\$ 1,549,441	\$ 4,087,198
Local (Monroe County):				
MSTU (0.35 mil)	599,562	-	-	599,562
304 Fund FEMA Phase I & 2 Match	-	-	914,285	914,285
148 Fund	-	356,000	-	356,000
304 Cess Pit Fund	-	705,200	224,327	929,527
304 Land Purchase	-	-	826,234	826,234
Interest	4,500	-	-	4,500
Miscellaneous	2,000	-	-	2,000
Subtotal Local:	\$ 606,062	\$ 1,061,200	\$ 1,964,846	\$ 3,632,108
Total Funds Available:	\$ 614,022	\$ 3,598,957	\$ 9,980,001	\$ 13,212,980
Expenses (Proposed Uses):				
Operating:				
Board Salaries	45,000	-	-	45,000
District Expenses	53,428	-	-	53,428
Operating & Management Services	129,600	-	-	129,600
Professional Services	272,300	-	-	272,300
Subtotal Operating	500,328	-	-	500,328
Non-Operating:				
Debt Service County Loan	21,525	-	-	21,525
Capital Expenses	7,000	-	-	7,000
Subtotal Non-Operating	28,525	-	-	28,525
Construction:				
Vacuum Collection System Construction	-	1,097,000	5,311,489	6,408,489
Tie-in to trailer village/valves	-	80,000	-	80,000
Proportion share of Village WWTP	-	600,000	2,058,511	2,658,511
Future Construction	-	383,957	-	383,957
Subtotal Construction	\$ -	\$ 2,060,957	\$ 7,370,000	\$ 9,430,957
Management/Design:				
Planning, Design, Permitting & Bidding	35,000	-	386,958	421,958
Construction Mgmt. & Administration	150,000	-	400,000	550,000
Land Purchase	-	-	826,234	826,234
Subtotal Management/Design	\$ 185,000	\$ -	\$ 1,613,192	\$ 1,798,192
Total Estimated Expenses:	\$ 628,853	\$ 3,598,957	\$ 8,983,167	\$ 13,210,967
Balance Available Forward:	65,169	-	16,814	82,000
Total Expense & Balance Forward:	\$ 614,022	\$ 3,598,957	\$ 9,980,001	\$ 13,212,980

**KLWTD Board Meeting
July 7, 2004**

Item GM 1

Status of the Clerk Position

Jeannette Bates

Jeanette Bates - 009 823 3342

Education Charter College, Anchorage - Automated Bookkeeping Associate Certificate, Graduated January 1992, Dean's List with 4.0 GPA
University of AK Fairbanks and Juneau - Written Communication, Computer, Outdoor Survival, ETT, EMT - 1979 - 1987

Experience/Skills Office Management Executive & Legal Secretary
Administrative Assistant Prioritization
Interviewing/Investigation Public Relations
Computer Literate Bookkeeping/Reconciliation
Program Databases Personnel Tasks
Design Spreadsheets Payroll

Personal Attributes Task and Detail Oriented Maintain sense of humor under pressure
Natural sense of Priorities Work well independently
Very Organized Work well w/co-workers
Confidential/Loyal Dependable
Professional Excellent Work Habits

Current Employment General Manager, Coconut Cove Resort and Marina

Prior Employment

- ✿ Administrative Assistant, Valley Hospital, Quality/Risk Management
- ✿ Executive Secretary to the Director of Management, State Department of Natural Resources, Records Custodian for the Department
- ✿ Office Manager - Professional Teaching Practices Commission
- ✿ Legal Secretary - U.S. District Court for Honorable Judge Frye, State of Oregon
- ✿ Caseworker for State Division of Public Assistance's Energy Assistance Program
- ✿ Bookkeeper - Providence Anchorage Anesthesia Medical Group
- ✿ Bookkeeper, Creekside Plaza Inc & Family Fitness & Fun
- ✿ Billing Clerk, Admitting Clerk, Assistant to Physician, Dr. Pamela Hill
- ✿ CBX operator, Valley Hospital
- ✿ Admitting Clerk, Valley Hospital
- ✿ Cashier, Patient Accounts, Valley Hospital

Volunteer experience Court Appointed Special Advocate- Palmer
Emergency Medical Technician/Firefighter - Juneau

References Doris Lum, former Safety Officer, Valley Hospital, 746-8771
Phyllis McIntosh, QRM Manager, Valley Hospital, 746-8770
Erica Cracker, Guardian ad litem, 745-5679, 745-5722 fax

Lissette Lopez

**LISSETTE LOPEZ
94825 OVERSEAS HWY
KEY LARGO, FLORIDA. 33037
305-832-3396**

- OBJECTIVE:** Seeking a mutually beneficial position where my skills, abilities, motivation and background would contribute to the growth and profitability of my employer.
- EXPERIENCE:** Onyx Waste Services
Administrative Assistant / Office Manager
Islamorada, Florida.
- Aug 2003-Present Responsible for assisting the General Manager with all management duties. Screening new applicants, motivating existing staff. Review route sheets daily to insure their accuracy, Determining work priorities and scheduling employees accordingly. Ensuring highest level of customer satisfaction with over 3000 residential account and 300 commercial accounts. Review all service agreement for completion. Check all files for compliance. Prepare check log for accounting department. Handle all bank relations.
- EXPERIENCE** Monroe County Housing Authority
Newport Village Property Manger / Section 8 Supervisor
Key Largo, Florida
- Dec 2001- Aug 2003 Responsible for the management of Newport Village Apartment a 5-unit complex funded by HUD for low income resident. Process new tenants, perform annual re-certifications interm rent adjustment and other tenant functions; Conducted all rent collection making cash deposit to the Housing Authority accounts daily during normal rent collection period and as required; making ledger entries in tenant ledgers; preparing monthly balance sheets and report for the Director and local board committee. Process initiation of action for evictions. Maintain the security of all files and other confidential information. Prepare purchase requisitions for supplies needed. Summit articles for the monthly resident newsletters. Assisting the maintenance supervisor with and oversight of all community maintenance and landscape activities and resident violations; Conduct walk though inspections of property or units and coordinating any work orders arising from these inspection.
- Section 8 supervisor oversea the daily operation of all county Section 8 vouchers; maintain current list of all available section 8 vouchers, review application files for completion, scheduling and issuing vouchers though briefings, evaluating units for HQS compliance and completing of all documents to affect a lease up. Solve problems relating to the administration, management and maintenance of Section 8 units; Perform income rent changes Annual re-certification, Interm, HQS inspections. Prepare and

review all monthly reports to include monthly board reports.
Prepare and review Housing Authority Payments to landlords
assuring all files are in compliance before issuing checks. Prepare
check log for accounting and sign off on check register when
complete.

Accomplishments: Received certification for Property Manger and Section 8 from
leading HUD certified schools. Brought Section 8 Program to 100%
leased and SEMAP scores to a 96%. Promoted to Supervisor after 4
month in position.

EXPERIENCE: Grand Destinations Travel Agency, Inc.
Owner / Manager
Miami, Florida

Dec 1995 - Feb 2001 Responsible for the full management, administration, and sales of
this travel agency: Interviewing, screening and hiring, training,
motivating, and reviewing the work of the staff; Determining work
priorities and scheduling employees; Planning vacations for clients;
Making reservations for cruises, flights, hotels, automobiles, Etc.;
Answering questions regarding availability's; Selling and marketing
vacation packages to the public; Advising customers of vacation
choices and alternatives; Maintaining a current knowledge of
availability's prices and seasonal travel opportunities; Compiling
complete bookkeeping reports of operation and analyzing results;
Opening and closing the establishment; Handling bank relationships.
Representing the company at trade shows and travel conventions.

Accomplishment: Built company to successful level.

EDUCATION

Miami Dade Community College

LICENSES AND CERTIFICATIONS

Property Manager (Certificate)

Section 8 Rent Calculation (Certificate)

Community Association Manager (State of Florida Licenses)

LANGUAGES

Fluent in English and Spanish

COMPUTER SKILLS

Windows 95, 98, XP. Word, Excel, Amadens, Wintergrate, Yardi, Trux

COMMUNITY SERVICES & INVOLVEMENT

Upper Keys Wish Granter, Make a Wish Foundation

REFERENCES AVAILABLE UPON REQUEST

Laura Norman

LAURA NORMAN

102 Ocean Shores Drive
Key Largo, FL 33037
Home Phone: 305-453-4622

SUMMARY

- 12 years of cash handling experience
- 8 years of management experience
- 10 years of accounting related experience
- 11 years of bookkeeping experience
- 6 years of collection experience
- Type over 90 w.p.m.
- 10 key over 1,000 k.p.m. by touch
- Notary Public for the State of Florida

WORK HISTORY

Financial Center Manager, Community Bank of Florida 01/03 to 03/04

Duties Included: Telling, collections, mthly/qrtly/yrly reports and audits, balanced and audited vault, teller drawers, ATM, and safe deposit boxes. processed loan applications for retail/commercial loans, funded and closed the loans, opened/closed accounts, wire transfers, merchant services set-up and services, all areas of the new accounts desk, business dev. calls, supervised 5 employees, all manager duties as required, and planned and hosted Chamber events for the Islamorada Chamber.

Rural Route Carrier, United States Postal Service 10/02 to 01/03

Duties Included: Cased and delivered mail for the village of Islamorada, FL.

Assistant Financial Center Manager, Community Bank of Florida 02/01 to 08/01

Duties Included: Telling, opened/closed accounts, collections, mthly/qrtly/yrly reports and audits, balanced and audited vault, teller drawers, ATM, and safe deposit boxes, business dev. calls, supervised 5 employees, merchant services set-up and services, and performed all manager duties.

Financial Service Representative, Moody National Bank 3/16/98 to 10/31/00

Duties Included: Telling, opening and closing accounts, collections, end of month reports, and balancing and auditing vault and teller drawers daily and monthly.

Rural Route Carrier, United States Postal Service 11/97 to 2/98

Duties Included: Cased and delivered mail for the city of Alvin, Tx.

Collector/Loan Processor, Chocolate Bayou FCU 4/97 to 01/98

Duties Included: make collections calls for outstanding debts on credit cards, and loans. I issued repos, input pymts, mail notices, and monthly reports. Processed loans documents, and payments.

Accounting Department Billing Clerk, Allen Holdings Incorporated 3/96 to 4/97

Duties Included: A/P, A/R, data entry and mailing invoices, filing, and yearly reports.

Assistant Customer Service Supervisor, Albertson's Grocery Store 3/93 to 3/96

Duties Included: Supervised 7 cashiers, scheduling payroll, bookkeeping, filing, ran register, reports.

Customer Service Manager, Academy Sporting Goods 12/90 to 03/93

Duties Included: cashiered, reports, scheduling, auditing, supervised 6 employees, all manager duties.

Bookkeeper/Receptionist, Image Technologies 02/87 to 12/93

Duties Included: answered phones, dictation, invoicing, record keeping, filing, reconciled customer stmts.

EDUCATION

Diploma, Clear Creek High School 1986-1990

Accounting Clerk Certificate, Alvin Community College (2 semesters completed)

Marketing for Bankers and Principals of Banking courses completed 2003 @ Miami-Dade College

COMPUTER KNOWLEDGE

Word Perfect, Lotus 123, Microsoft Word, Teller Pro, AS400, Windows, Deposit Pro, and Excel.

PERSONAL REFERENCES

Janelle Cowan (501)-278-0815 years known: 8

Laura Perez (305)-394-0931 years known: 3

Paula Ramsey (281)-388-0619

Carol Simpkins

2410 SW Warwick St 561-718-0368
Port Saint Lucie, FL csimpkins@lakeparkflorida.gov
34984

Carol Simpkins

Objective

A position where I can maximize my research, organizational and supervisory skills.

Experience

April, 2002–Current Town of Lake Park, FL

Town Clerk, Salary \$47,062

Statutory Duties: recording, filing and advertising resolutions, ordinances, and public notices. As supervisor of elections for Lake Park I qualify candidates, provide election materials and ballots, I also organize poll workers and their training. I work with the County Supervisor of Elections organizing the Town's elections.

Non Statutory Duties: provide notary services for the office and the public, process and store all records and contracts (per State Statutes) while making sure that the contracts are current, manage information for the dissemination of public records, record minutes of public meetings, prepare agenda package for town commission, community redevelopment board and marina board.

- Work with the Department Heads to bring departments into compliance with the Records Retention Statutes.
- Set up system for legal storage of Town records
- Set up a cost efficient method for records research
- Work with Commission Advisory Boards, recruitment and administrative support
- Update Clerks pages on Town Web Site, www.lakeparkflorida.gov

Oct. 2001- April 2002 Lyra Productions / America Inc, Tavernier, FL

Assistant to Music Producer/Author, Salary \$42,000

Office Manager, including A/R and A/P. In charge of wholesale and retail sales U.S. In charge of licensing agreements for foreign sales. I did research on the web on various subjects for books being written. Legal secretarial work and was in charge of tracking royalties.

Sept. 1998 – Oct. 2001 Village of Islamorada, FL

Village Clerk Salary \$42,000

Statutory Duties: recording, filing and advertising resolutions, ordinances, and public notices. As supervisor of elections for Islamorada I qualified candidates, provided election materials and ballots, I contracted back to Monroe County Supervisor of Elections to run the election.

Non Statutory Duties: provided notary services for the office and the public.

process and store all records and contracts while making sure that the contracts were current, managed information for the dissemination of public records, record minutes of public meetings, preparation of agenda package. Was in charge of ordering all office supplies for the Village and processed all accounts payable for the Village.

Islamorada had just been incorporated and for the first two years I also served as the administrative assistant to the Village Manager. I also helped in finance for the first two years.

FEB. 1994 TO SEPT. 1998 City of Homestead, FL

Executive Assistant to Community Development Director, Salary \$25,000

Community Redevelopment Agency & Planning and Grants Associate
Wrote grants, administered CDBG, TIF, & Historic Preservation grants. Representative to Main Street & Pioneer Commerce Park Associations. Assisted in annual budget preparation. Handled department's accounts payables & receivables. Payroll and Accounts Payable.

Community Development & Planning
Administered two (2) TIF Grants

Public Works Department
Preparation of Fleet maintenance budget, processing of work orders, process invoices, preparation of monthly reports and payroll.

Building and Zoning
Recording Secretary for the Planning and Zoning Board, processed invoices, inspections request and inspections results. Secretary to the Building Director and to the Zoning Administrator.

EDUCATION

Certified Municipal Clerk Oct. 1998 to June 2001 International Institute of Municipal Clerk Los Angeles, California. I am currently working on my Master Municipal Clerks certification.

AA from Miami Dade Community College 1990 TO 1992 in Homestead; FL

Graduated with Honors and Distinction

SKILLS

Typist
Computer literate: Word; Word Perfect, Quattro Pro, Excel, Quick Book Pro, Access
Postage Machine. Copy Machine
Binding Machine. Adding Machine
PBX
Dictaphone
Detailed oriented. Well organized
Excellent people skills

AFFILIATIONS

Florida Association of City Clerks
Association of Records Managers & Administrators
International Institute of Municipal Clerks
Palm Beach County Municipal Clerks Association

KLWTD Board Meeting July 7, 2004

Item GM 2

Status of the CFO Position

Martin D. Waits

Martin D. Waits
308 Woods Avenue
Tavernier, FL 33070

305-853-9879

BACKGROUND AND EXPERIENCE SUMMARY

Former Virginia businessman and current local financial executive with extensive hands-on background in accounting, contract administration, purchasing, order entry, inventory control, office supervision, payroll and employee benefits, and general corporate administrative functions, as well as a strong technical background in chemistry and chemical engineering focused in the water treatment industry for over 15 years.

PERSONAL INFORMATION

Age: 64 years
Family: Married 42 years, (3 married children, 7 grandchildren)
Military Service: None
Hobbies: Boating, scuba diving, home improvements

EDUCATION

Central High School, Bay City, MI – 1958

University of Cincinnati, Chemical Engineering – 1963

Illinois State University, MBA (Finance) – 1973

EMPLOYMENT HISTORY

2003 Current Controller, Shrimp Improvement Systems, LLC, Islamorada, FL

Personally responsible for all bookkeeping, financial reporting and administrative functions, including procurement, for a major supplier of genetically engineered larval, post larval and brood stock shrimp to larviculture grow out farms worldwide.

2001 – 2002 Consultant, Carus Chemical Company, Peru, Illinois

Provided general contract management, sales and marketing, and technical assistance to the world's largest potassium permanganate manufacturer regarding their entry into the phosphate water treatment business upon acquiring Technical Products Corporation. (See below) Also various other unrelated engagements.

1985 – 2000 **President, Technical Products Corporation, Portsmouth, VA**

As the majority shareholder and chief administrative officer, personally responsible for management of all financial and administrative functions for a national water treatment company, including laboratory operations and product development.

1981 – 1985 **Director of Finance, VCI Div of Hoechst-Celanese Corporation**

Responsible for all financial analysis and internal audit activities in a \$150 million division of a multi-national chemical company, with major focus on business development and acquisition/divestiture activities.

1963 – 1981 **Manager of Corporate Financial Analysis, Borden Chemical Company
Plant Manager, PVC blown film operations, Borden Chemical Company
Plant Engineer, caustic/chlorine and sodium silicate mfg, PPG Industries**

Mull & Associates

June 23, 2004



Mr. Gary Bauman
Chairman
Key Largo Wastewater Treatment District
Key Largo, Florida 33037

Dear Mr. Bauman:

As you requested, we have estimated the annual fee for performing the position of Chief Financial Officer for the Key Largo Wastewater Treatment District. As you instructed, we contacted David Miles from Government Services Group, Inc. (GSG). He gave us the number of hours that he and his staff were currently spending in the chief financial officer role. David also informed us that his monthly hours would be increasing from 40 to 50 hours a month when construction started this summer. We have prepared a schedule (attached) which applies both our standard rates and our rates discounted by 20% to these hours. Discounting our rates by 20% results in rates which are \$10 per hour below GSG's for the manager role and \$13 per hour lower for the accounting staff. This approach results in us proposing an annual fee of \$65,600.

It should be noted that the annual budget preparation and audit/financial statement preparation tasks are based on the services performed by GSG last year. This does not include submitting the comprehensive annual financial report for a certificate of achievement from the Government Finance Officers Association. If the Board requests that its CAFR be submitted, we estimate that it would take an additional ten hours of manager time.

We calculated our services at 50 hours a month for all twelve months, which includes time for transition from GSG during the first two months. We then assumed that we would be in the construction phase for the remainder of the year. Furthermore, we will bill you for any expenses separately; however, we estimate that any such expenses should be minimal following the transition period which will probably require us going to Orlando.

We look forward to providing these services to the Key Largo Wastewater District. Please contact me with any questions.

A handwritten signature in dark ink, appearing to read "David S. Andrews", with a long, sweeping horizontal line extending to the right.

David S. Andrews
President
Mull and Associates P.A.

Key Largo Wastewater Treatment District
Grant Compliance/Accounting

	<u>Hours</u>	<u>Rate@100%</u>	<u>Fee</u>	<u>Rate@80%</u>	<u>Fee</u>
<u>Current (40 hours/month)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

<u>As of Construction (8/1 or 9/1/04)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	25	\$90	\$ 2,250	\$72	\$ 1,800
Total	<u>50</u>		<u>\$ 6,000</u>		<u>\$ 4,800</u>

<u>Annual Budget Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

<u>Annual Audit-F/S Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

	<u>Total</u>	
	<u>Monthly</u>	<u>Annual</u>
Monthly charge	\$ 4,800	\$ 57,600
Budget preparation (rounded)		\$ 4,000
Audit-financial statement preparation (rounded)		\$ 4,000
		<u>\$ 65,600</u>

**KLWTD Board Meeting
July 7, 2004**

Item GM 3

**Report on the Calusa Camp Resort
Meeting**



"Excellence in Engineering"

20020 Veterans Boulevard., Suite 7
Port Charlotte, FL 33954
(941) 764-6447 ph
(941) 764-8915 fax

Calusa Camp Summary

Existing System

The condition of the existing wastewater collection system is unacceptable and allows excessive I&I. Reported wastewater flows exceed the potable water consumptive flows by 40%. If the collection system is rehabilitated or replaced, the flow can be accepted. Influent strength is higher than normal, but is acceptable.

It should be noted that a leaky collection system not only lets I&I leak in, it also lets sewage, including nutrients and pathogens, leak out into the surrounding environment. So although properties with existing WWTPs and collection systems in good condition may do less harm to the environment than septic systems and cess pits, properties with leaky collection systems or malfunctioning WWTPs may not be any better.

Connection Options

Alternative Number	Capital Cost to KLWTD	Capital Cost to Property Owners	Capital Cost to Owner (per RV site)	Total Project Cost
1. Vacuum	\$162,000	\$981,500	\$2,674	\$1,143,500
2. Vacuum	\$162,000	\$934,400	\$2,546	\$1,096,400
3	Not recommended			
4	Not recommended			
5. Force	\$475,000	\$683,280	\$1,862	\$1,158,280

- A vacuum main in the right-of-way is less costly to the public, but would require that an internal vacuum system be installed in the park
- A force main in the right-of-way is more costly to the public, but would reduce the costs to the property owners in Calusa Camp by approximately \$750 per lot.
- The cost to owners of individual residential property owners in KLTV and KLP will most likely range from \$3000 to more than \$10,000

Revenue Potential

Revenue will be generated by each EDU, but the EDUs can be calculated in different manners, for example:

- Each RV site can be 1 EDU
- Each RV site represents 75 GPD (from 64-E 6 FAC). This equals 0.45 EDU

- The EDU count can be calculated from the total potable water consumption and be billed like typical commercial accounts.

Some additional information for consideration:

- The cost to the owners of the RV lots includes all work necessary in the park to make the system water tight.
- Each lot owner's share of the total cost ranges from \$1860 to \$2675, depending on the selection of connection method
- KLWTD could offer to accept easements and assume ownership of an internal vacuum system with all new pipe, but I would not recommend assuming ownership of the gravity collection system and pump stations, even after being upgraded.
- Long term costs to the lot owners in Calusa Camp for owning and operating a series of pump stations and force mains and gravity lines should be considered.
- Most wastewater utilities do not provide infrastructure on private property
- FKAA has provided infrastructure on private property at Ocean Isles Fish Camp in the Little Venice project
- FKAA has stated in a public meeting that it will allow commercial properties that consist of single family dwelling units to choose between granting easements and allowing FKAA to install infrastructure on the private property, or to install their own infrastructure. (FKAA would spend public money to install the infrastructure, but then would bill each dwelling unit as a full EDU. If the owner elected to install it's own infrastructure, the property would be billed at a commercial rate based on consumption)

KLWTD Board Meeting

July 7, 2004

Item GM 4

Status of Site Mitigation

County of Monroe

Department of Marine Resources
2798 Overseas Highway, Suite 420
Marathon, Florida 33050
Voice: (305) 289 2507
FAX: (305) 289 2536
Email: garrett-george@monroecounty-fl.gov



Board of County Commissioners
Mayor Murray Nelson, Dist. 5
Mayor Pro Tem David Rice, Dist. 4
Commissioner Dixie Spehar, Dist. 1
Commissioner George Neugent, Dist. 2
Commissioner Charles "Sonny" McCoy, Dist. 3

22 June, 2004

Dr. William Straw
FEMA Region IV
3003 Shamblee-Tucker Road
Atlanta, Georgia 30341

RE: 1249-25, Phase II Key Largo Trailer Village Wastewater Treatment Project

Dear Dr. Straw:

I am writing on behalf of the Key Largo Wastewater Treatment District (District) concerning required mitigation for the removal of up to 2.6 acres of upland habitat and exotic vegetation associated with the construction of a wastewater treatment plant at mile 100.5 Key Largo, Florida as well as the required transferal of remaining open space on the property to an appropriate conservation entity. Particularly, this letter addresses obligations addressed in the Disaster Relief Funding Agreement to be approved and signed by the Key Largo Wastewater Treatment District Board.

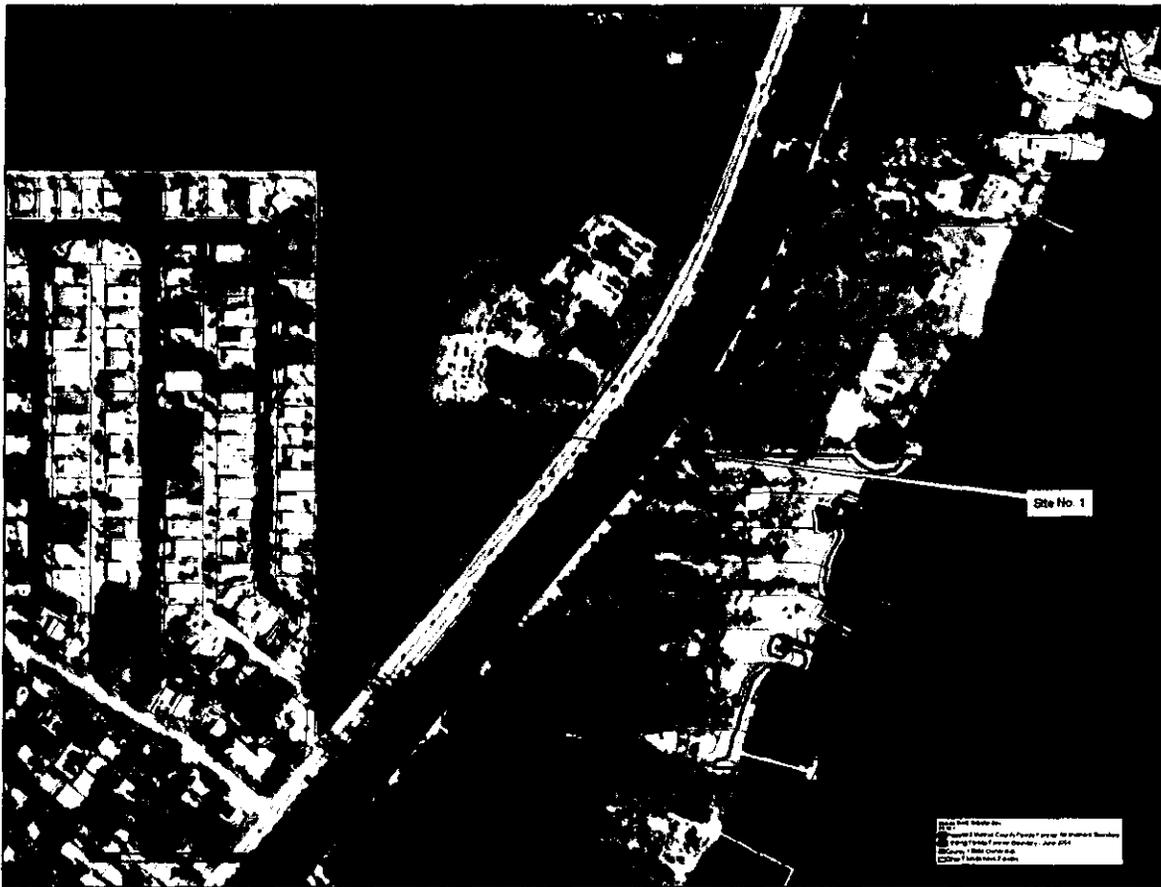
The District wishes to convey its intent to purchase, install and maintain approximately 2,600 trees, or the equivalent in restoration value, on several sites located in the Key Largo area. This will be accomplished in accordance with the requirements of Monroe County Code to transplant or replace protected tree species. The total area of the parcels selected for this tree restoration effort will equal or exceed the 2.6 acres allowed for clearing under the Fish and Wildlife Service Biological Opinion (11 June 2001) and the FEMA SFONSI at the Mile Marker 100.5 Treatment Plant site.

The County working with the District has developed a list of sites which it may use to restore upland habitat in the Key Largo area. In discussions with the

District it has been decided that off-site habitat restoration is the best alternative for the entire 2.6 acres. The sites selected as candidate restoration sites actually exceed the 2.6 acres required for the project.

The first is a property located on Plantation Key currently owned by the State. This property is approximately 7.2 acres in area and is comprised of a mix of wetland habitats, hardwood hammock, and exotic plant species. The exotic trees have recently been cleared by the State and they are interested in restoring that portion of the property to hardwood hammock. The total cleared area ready for restoration exceeds 1.0 acres.

Restoration Site No. 1



The second set of parcels is owned by the County and exist adjacent to properties owned by the State as part of the Florida Forever land acquisition program. The site is a little over 1/4 of an acre and is largely disturbed with little

current habitat value. The County is interested in restoring this property to hardwood hammock. The entire 1/4 of an acre is available for restoration.

Restoration Site No. 2



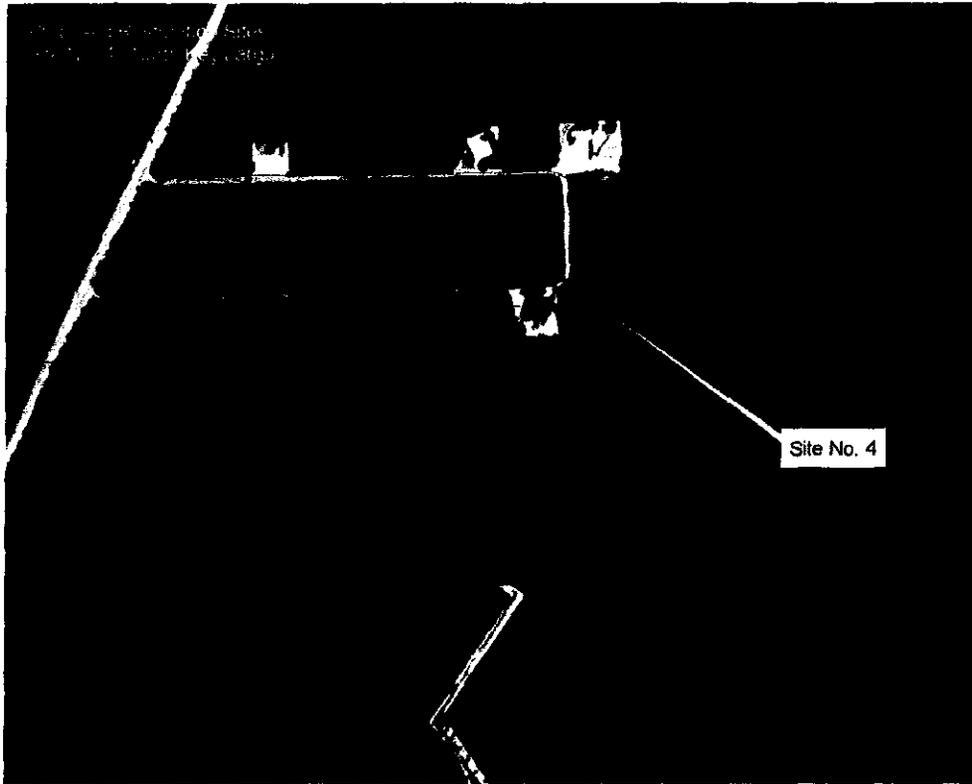
The third property is owned by the State as part of its “Dove Creek Hammock” Florida Forever project. The property is approximately 38 acres and is comprised of a mix of wetlands habitats, hardwood hammock, and disturbed areas. The disturbed area of the property exceeds 2.5 acres and is available for hammock restoration.

Restoration Site No. 3



The fourth site consists of a set of lots owned by the State in Madeira Village subdivision, North Key Largo. The site area is approximately 7.8 acres consisting largely of exotic plant species and remaining native hardwood vegetation. The site is available for hammock restoration. For this property, the state would like assistance in the removal of large volumes of fill rather than the provision and planting of native trees. They have a nursery to provide trees but do not have the funds to remove fill at this time. Restoration funds would be used to prepare this site for hammock restoration which would then be carried out by the State. The entire area needs to be graded to historic elevations.

Restoration Site No. 4



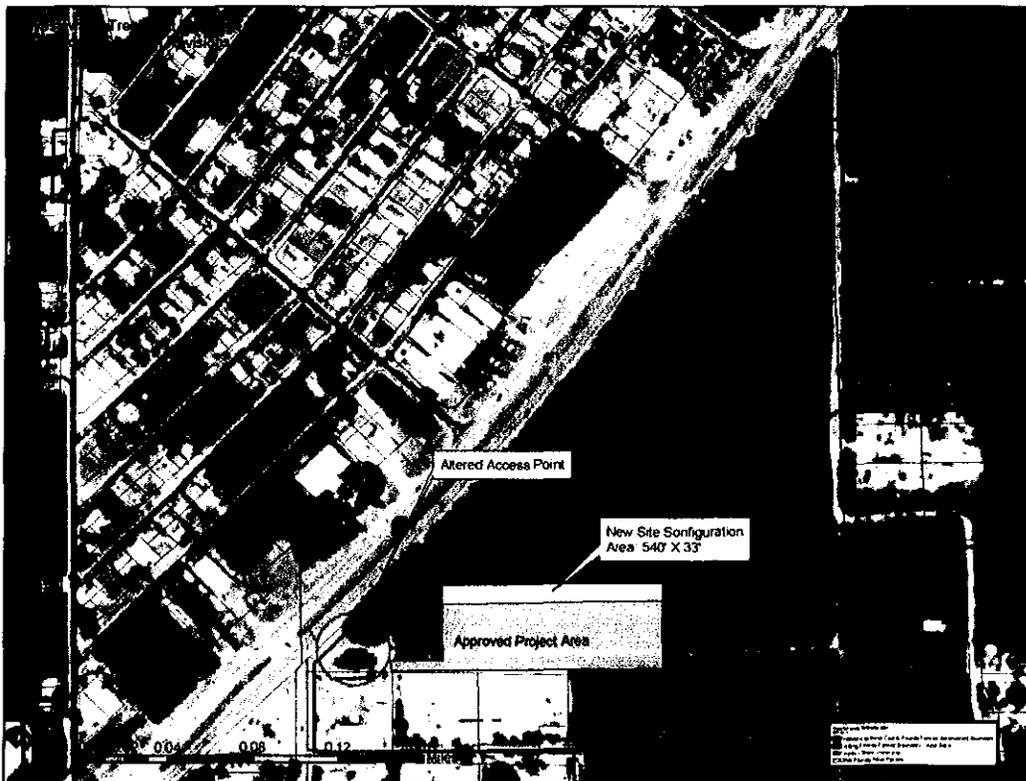
The four sites noted above will serve as the list of properties available to the County to complete required mitigation for the 2.6 acres of habitat and exotic plants allowed to be removed at the Mile Marker 100.5 wastewater treatment plant site. Tentative approvals from the State and the County have been provided for each of the sites noted above which will be formalized in an interagency agreement if necessary

The District also wishes to formalize its desire to modify the acreage figures referenced with respect to the transfer of open space prior to approving and signing the Disaster Relief Funding Agreement. The current form of the agreement indicates that approximately 18.4 acres will be permanently preserved for conservation purposes. The District wishes to amend this number to reflect retaining 20 percent of the property in its ownership (approximately 4.2 acres) while transferring the remaining 80 percent (approximately 16.8 acres) to the County to be preserved and maintained by the County Land Steward. The District recognizes and acknowledges that only 2.6 acres of habitat may be cleared for the project regardless.

Further, the District wishes to modify its access to the site, utilizing a direct access approach to U.S. 1. The area in question is previously scarified and has no native vegetation on it. The area is identified in the graphic depiction below within a green circle. The new access road will extend the current access road to the apex of the property at its southwest corner. The proposed access road to U.S. 1 would be 50 feet in width and accommodate both vehicular access to the site and sewer pipe in parallel.

In addition, the approved construction site plan (as assumed in the Biological Opinion) contemplates utilizing additional area to the east of the Florida Keys Aqueduct (FKAA) property and south of the actual project area shown in blue below. The property to the east of the FKAA site was never purchased. Thus, the site plan being utilized at this time is approximately 2.2 acres not the approved 2.6 acres. The District would suggest extending the bounds of the construction site area an additional 33 feet to the north of its long side creating a wider project area of 540 feet by 208 feet. Currently, the project area is 540 feet by 175 feet (with original access road, approximately 2.2 acres).

Proposed Site Plan Changes to Configuration



With the specific identification of restoration sites and the clarification of the points noted above:

- Conservation acreage, and
- Minor modifications to the approved construction site plan,

the District stands ready to approve and sign the Disaster Relief Funding Agreement. The District awaits your general concurrence with the proposed restoration sites and to the suggested modifications noted. If there are any questions, please feel free to contact me on behalf of the District. Alternatively, the new Executive Director for the District is Chuck Fishburn and their attorney is Tom Dillon. Either will also be available for consultation or discussion.

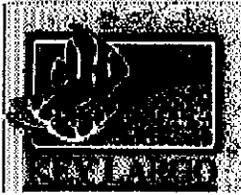
Sincerely,

George S. Garrett
Director of Marine Resources

KLWTD Board Meeting
July 7, 2004

Item GM 5

Status of System Development
Charge / Rate Study



KEY LARGO WASTEWATER TREATMENT DISTRICT
POST OFFICE BOX 491; KEY LARGO, FLORIDA 33037
(305) 451-5105

TO: Key Largo Wastewater Treatment District Board Members
FROM: Charles Fishburn, General Manager
DATE: June 28, 2004
RE: Status of the Rate Study

A. FCAA Wastewater rate Structure

Little Venice – 968 EDU - \$45.00/mo (4,000 gallons)*
Base Charge \$24.80 + \$5.11/1000 gallons

Conch Key – 183 – 626 EDU - \$51.00/mo (4,000 gallons)

Bay Point – 434 EDU - \$54.00/mo (4,000 gallons)

B. Little Venice Projected Operating Costs

Wastewater Treatment Plant expenses	\$250,000/yr
Wastewater Collection System costs	\$ 40,000/yr
Customer Service, Administration & Billing	<u>\$ 80,000/yr</u>

Total Operating Costs \$370,000/yr

(\$32.00/EDU/mo) (Billing \$2.11/bill/mo)

C. Conch Key/Duck Key Projected Operation Expenses

\$302,000/yr (\$40.00/EDU/mo)

D. Bay Point Projected Expenses (Not AWT Treatment Plant)

\$242,000/yr (\$46.00/EDU/mo)

E. Islamorada Wastewater Rate Structure

\$51.00/mo fixed charge per Three Bedroom Home
Each additional bedroom charged at 0.333/EDU
Multi-family and Mobile Homes charged at 0.8/EDU

F. Capital Facilities Charges

- Little Venice \$4,700.00 or \$410/year for 20 years
- Conch Key \$4,700.00 or \$410/year for 20 years (for 183 EDU)
- Bay Point \$4,700.00 or \$410/year for 20 years
- Islamorada \$5,000.00(?) \$37.95/mo for 20 years (?) (for 500 EDU?)

Appendix H

Funding and Financing Options

Funding and Financing Options for Wastewater Management Activities In the Florida Keys

The funding and financing options contained in this Appendix identify, in general terms, the range of sources that may be used to fund wastewater treatment activities in the Keys as identified in the MCSWMP and by project applicants (Monroe County, 2000a). The actual funding and financing vehicles used by the project applicant would be project-specific and evaluated in the project-specific SER. As noted in Section 3.6.3, Local Fees and Taxes, the availability of funding and the specific types of financing affect the rates charged to wastewater users.

In general, the various wastewater funding and financing options fall into one of the following categories:

- User fees and charges
- Taxes and assessments
- Grants and contributions
- Redirection of existing Programs or funding
- Financial assistance for low and fixed income users
- Doing more with less

The following describes various funding and financing options associated with each of these categories.

I. USER FEES AND CHARGES

User fees and charges are collected for the provision of the services that provide a specific benefit to a user. Various types of user fees and charges are described below.

Wastewater Rates and Charges

For most utilities, their primary source of revenue is the rate charged to customers. Publicly owned utilities are typically operated as "Enterprise Funds" within the local government's organization. Enterprise funds are intended to be managed like a business, and are typically expected to be self-supporting, although many utilities do receive additional funds from the city or county's general fund. In addition to paying for on going operation and maintenance (O&M) costs, portion of a utility's rate-generated revenues is used to directly fund minor capital programs, as well as to repay the debt service on any outstanding bonds or loans. Rate revenues may be dedicated to a capital reserve account and used to fund annual capital improvements, or may be accumulated until sufficient to fund larger projects. This is the most common method used for funding equipment renewal and replacement requirements. Wastewater may include a minimum or fixed charge that does not vary from billing period to billing period (most frequently month to month), and/or a volume charge that may be based on the user's water consumption or metered wastewater flows.

Appendix H

Funding and Financing Options

Miscellaneous Fees and Charges

Most utilities also charge customers miscellaneous fees for services that the utility may provide, or to provide incentives, such as for prompt payment of bills. These fees are typically designed to recover the utility's costs incurred to provide these specific services, or to recover the costs the utility incurs because of the customers' actions (service line clean outs, lost interest income, etc.).

Connection Fees

Hook-up, tap, or connection fees are charges collected for the new connections to a community wastewater system. In many communities, connection fees are designed to recover just the cost the utility incurs to install the service connection to the sewer main.

Impact Fees

Impact fees, like connection fees, are collected at the time a user connects to the wastewater system. Impact fees are intended to recover the costs the utility incurs to oversize its transmission, treatment, and disposal facilities to provide capacity to serve new users. The intent of these charges is to avoid charging existing customers for the costs the utility is incurring to serve future customers.

Line Extension Fees

Some utility companies charge a fee for extending collection and or transmission lines to serve a new customer's property. This charge, which is generally based on the number of feet that the collection or transmission line must be extended to serve the property, may be collected in addition to the connection and impact fees.

Service Availability Fees

Community water and wastewater utilities frequently require development properties to connect to the system once service is available (i.e., when a collection line has been constructed along their property). In some communities, where the local government has opted not to require a connection to the system, service availability fees have been implemented. The service availability fees are typically designed to recover capital costs that the utility has incurred to make service available to user, which the user is choosing not to exercise. These types of fees are currently being challenged in Florida courts.

II. TAXES AND ASSESSMENTS

Taxes are used to fund activities that do not provide a specific benefit, but provide a more general benefit to the community; the user may not be able to avoid paying the tax. Assessments must show a benefit to the property owned by the user. The various forms of a common taxes and assessments are described in the following section.

Local Improvement District Assessments

The extension of lines to serve existing development is frequently accomplished through the creation of a local improvement district (LID). LIDs are created for the specific purpose of

Appendix H

Funding and Financing Options

financing capital improvements (e.g. roads, water lines, sewer lines, street lighting, and/or storm water improvements) to serve a specific area. Once the LID has been created, special assessments bonds can be issued, which are secured by liens on the properties located within the LID. Debt service on the bonds issued to finance the improvements is recovered through annual assessments on the property located in the LID. For the sewer line improvements, a property owner's share of cost of the improvements is frequently based on the front footage of the property along which the sewer line is being laid. For improvements involving more than laying the sewer lines, other bases for the assessment are generally collected in the user's annual property tax bill.

Sales Tax/Local Option Tax

A 1-cent (1-percent) sales tax is used frequently to provide funding for a variety of projects and activities, from schools to highways. Monroe County currently receives revenues from a local option sales tax to fund grants for its cesspool replacement program. Residents, tourist, and businesses all pay a sales tax on purchases made in the County.

Property Tax

Property taxes are assessments charged to real property owners based on a percentage (millage rate) of the assessed property value. These taxes generally support the majority of a county's non-enterprise fund activities. However, the revenues from property taxes can also be used for enterprise fund projects, and have been used in many communities to pay debt service on general obligation bonds issued to finance wastewater system improvements. Because communities are limited in the total of millage rate, use of property taxes to fund wastewater management improvements could limit the county's ability to raise funds for other activities.

Municipal Services Taxing/Benefit Unit

Municipal services Taxing Units (MSTUs) and Municipal service Benefit Units (MSBUs) can be established through annual property taxes or assessments to generate funds for projects. Unlike LIDs, MSTUs and MSBUs can be used to fund both capital and annual O&M costs. *Ad valorem* taxes are generated from MSTUs; special assessments generate funds in MSBUs. The taxes and assessments are levied on property owners. Unlike the process required for raising the millage rate on property taxes, no referendum is required to levy taxes or assessments in an MSBU or MSTU, unless the revenues are used for leveraging bonds. The taxes associated with MSTUs are subjected to the cap on the total millage rate. Therefore, use of MSTU to generate funds would constrain the future taxing ability of the County.

Bed Tax

The bed tax generates revenues from tourists' expenditures at hotels, motels, and short-term lodging. Like a sales tax, a bed is usually based on a percentage of expenditures, however, the tax would be limited to expenditures at a hotel or a motel for lodging, and therefore has little or no direct impact on residents. Monroe County currently collects a 4-percent bed tax, out of which 1% goes to the county land development authority, and the other 3% goes to the county's Tourist Development Council.

Appendix H Funding and Financing Options

Real Estate Transfer Tax

A real estate transfer tax is collected from all sales of real estate in a county. The tax is levied at the time of transfer of real property. These types of taxes may be based on a percentage of assessed value or may be a flat deed registration fee, or both. New property owners would be responsible for paying the real estate transfer tax.

Tax Increment Financing

In areas where publicly financed redevelopment is raising property values, tax increment financing (TIF) can be used to fund new projects. With TIF, the incremental increase in *ad valorem* tax revenues that are a consequence of rising property values (which in turn results from the planned improvements) is dedicated to repaying the debt that financed the capital projects in that area. This approach to funding projects is applicable only in areas undergoing redevelopment.

III. BONDS AND LOANS

Revenue Bonds

Revenue bonds are bonds that are secured by a pledge of the revenues of the utility. The utility issuing bond pledges to generate sufficient revenues annually to cover the systems operating costs, plus meets the annual debt service requirements (principal and interest payment) times a factor, termed the coverage factor, which is designed to provide additional protection to the bondholders. The coverage factor generally ranges from 110 to 150% of the utility's annual or maximum annual debt service requirement in the present or any future year.

General Obligation Bonds

Cities, counties, and special districts generally are able to issue general obligation (GO) bonds that are secured by the full faith and credit of entity. In this case, the local government issuing the bonds pledges to raise its property taxes or use any other source of revenue, to generate sufficient revenues to make the debt service payments on the bonds. A general obligation pledge is stronger pledge than a revenue pledge, and thus must carry a lower interest rate than a revenue bond. Frequently, when local government issue GO bonds for utility improvements, the utility will make the debt service payments on the GO bonds with revenues generated through the utility's rates and charges. However, if those rate revenues are insufficient to make the debt payment, the local government is obligated to raise taxes or use other sources of revenue to make the payments.

Local Improvements District Bonds

LID bonds are secured by a lien on the property in the LID. Debt services payments on these bonds are funded through annual assessments to the property owners in the LID, as discussed previously.

Appendix H Funding and Financing Options

State Revolving Fund Loans

The State of Florida, like most states, operates a state revolving fund (SRF) loan program that offers qualified local governments/utilities below-market-rate loans for wastewater projects. The State Revolving Loan Fund in Florida is administered by FDEP through the Water Facilities Funding Program. It makes low-interest loans available for construction, rehabilitation, and replacement of facilities needed to collect, treat, dispose of, or reuse municipal wastewater. It is a revolving fund because loan repayments are used to make additional loans. Loans are made for a 20-year term, with interest rates set at about 60% of the present market interest rate. SRF loans are generally limited to \$10 million per entity per year.

State Bond Loan Program

The FDEP and the Division of Bond Finance of the Department of General services jointly administer the State Bond Loan Program. The program generally issues bonds that are sized to provide sufficient funds to meet the capital financing needs of several communities or entities participating in the program. The state will then loan the bond proceeds to these entities at an interest rate slightly higher than the interest rate that the state is paying on bonds. Frequently, the entities participating in the program are smaller communities or entities without the credit history or capability to enter the bond market on their own. These entities get the benefit of being able to gain lower interest rate than they would be able to obtain on their own.

Commercial Loans

Banks and other financial institutions may make commercial loans to local governments to fund capital projects. For utilities, these loans are typically secured by a pledge of a utility's revenues, but may also carry a general obligation pledge.

IV. GRANTS AND CONTRIBUTION

A number of state and federal grant programs are available to provide funding support for local governments and/or utilities to implement specific aspects of their wastewater management program. Grant monies may also be available to qualified homeowners.

At the time of the release of the PEA, the Village of Islamorada and the FKAA have applied for various federal and state grants for wastewater projects. The program, funding agency, and estimated value of these grants are listed in Table H-1. Additional information about the types of grant programs is described below.

Table H-1: Potential Federal and State Assistance Programs Identified by Project Applicants for Wastewater Projects

Unmet Needs Grant Program	FDCA/FEMA	Village of Islamorada	\$2,300,000 requires local match of \$329,000
Water Advisory Panel	FDEP	Village of	\$900,000

Appendix H Funding and Financing Options

Funding Program		Islamorada	requires local match of \$225,000
Wastewater Project Assistance Program	SFWMD	Village of Islamorada	\$75,000
Unmet Needs Grant Program	FDCA/FEMA	FKAA	\$11,350,906

Source: FEMA Region IV, Village of Islamorada, FKAA

Cesspool Identification and Elimination Grant Program

Monroe County has implemented a grant program to assist homeowners with replacing cesspools. This program provides a grant for at least 62% of the capital cost of an OWNRS. Homeowners whose homes have an assessed value of between \$100,000 and \$200,000 receive an additional grant of \$1,000 over the 62-percent grant amount, or 69% of the total capital costs of these systems. This program is funded through revenues generated from grants from the Florida Department of Environmental Protection and the Florida Department of Community Affairs, as well as from funds from Monroe County's infrastructure sales tax (Monroe County, 2001a).

Water Advisory Panel Grants

The State of Florida created a water advisory panel in Fiscal Year 1999, which administers a grant program that provides funds for projects that: reduce recurring violations of state water quality standards; resolve a public health threat; reduce discharges of pollutants into an impaired water bod; and reduce discharges into groundwater supplies. Each project must be sponsored by a local governmental entity, including, but not limited to, a city, county, water and sewer district, or a water management district. The project must be identified in an approved local, water management district, or Department of Environmental Protection water management plans as part of a surface water restoration effort. Priority is given to projects that address an area to be served with a population of less than 7,500 and a median household income of less than the statewide median household income. The project sponsor or grant recipient must provide for at least a 50-percent match of the total project cost. Matches may include funds from other local, state, and federal sources and in-kind contributions. Reductions in the match requirement may be considered, based on a demonstration by the project sponsor of inability to provide the match, to the satisfaction of the panel.

Federal Agencies

A number of federal agencies, in addition to FEMA, have programs that can provide funding to assist in improvements to wastewater management in the Keys. Potential grant funding sources include the Environmental Protection Agency, Department of Interior, Department of Housing and Urban Development, Department of Transportation, and Department of Agriculture. Potential federal grant funding programs are identified in the following table.

Table H-2: Potential Federal and State Assistance Programs Related to Wastewater

Appendix H Funding and Financing Options

<p>Water Quality Cooperative Agreements</p> <p>(Clean Water Act, Section 104(b)(3), Public Law 92-500, as amended; 33 U.S.C. 1254(b)(3))</p> <p>http://www.cfda.gov/stratic/p66463.htm</p>	EPA	To assist in developing, implementing, and demonstrating innovative approaches relating to the causes, effects, extent, prevention, reduction, and elimination of water pollution.	Project Grants \$5,000 to \$500,000
<p>Wastewater Operator Training Grant Program</p> <p>(Federal Water Pollution Control Act as amended, Section 104(g)(1); 33 U.S.C. 1251 et seq.)</p> <p>http://www.cfda.gov/stratic/p66467.htm</p>	EPA	To substantially enhance the proficiency of personnel engaged in the operations and maintenance of treatment works and related activities by financing pilot programs	Project Grants \$35,000 for State-wide assistance
<p>Capitalization Grants for State Revolving Funds</p> <p>(Clean Water Act, Public Law 95-217, as amended; Water Quality Act of 1987, Sections 601 through 607, 205(m), Public Law 100-4.)</p> <p>http://www.cfda.gov/public/viewprog.asp</p>	EPA	To create State Revolving Funds (SRFs) through a program of capitalization grants to States which will provide a long term source of State financing for construction of wastewater treatment facilities and implementation of other water quality management activities (see 66.418).	Formula Grants \$10,000,000 to \$216,000,000; average \$30,000,000

Appendix H Funding and Financing Options

<p>Construction Grants for Wastewater Treatment Works</p> <p>Clean Water Act, Public Law 92-500, as amended; Public Laws 97-117 and 95-217; Water Quality Act of 1987, Public Law 100-4; Public Law 96-483; and Public Law 101-144</p> <p>http://www.cfda.gov/static/p66418.htm</p>	EPA	To assist and serve as an incentive in construction of municipal wastewater treatment works which are required to meet State and/or Federal water quality standards and improve the water quality in the waters of the United States.	Project Grants \$10,000 to \$10,000,000; average \$3,000,000.
<p>Water Pollution Control State and Interstate Program Support</p> <p>(Clean Water Act, Section 106, as amended, Public Law 95-217, 33 U.S.C. 1251 et seq)</p> <p>http://www.cfda.gov/static/p66419.htm</p>	EPA	To assist in establishing and maintaining adequate measures for prevention and control of surface and ground water pollution.	Formula Grants \$60,000 to \$9,000,000
<p>Water Reclamation and Reuse Program</p> <p>Reclamation Wastewater and Groundwater Study and Facilities Act, Title XVI, Public Law 102-575, as amended</p> <p>http://www.cfda.gov/static/p15504.htm</p>	Department of the Interior	This Title gives Reclamation general authority to conduct appraisal and feasibility studies on water reclamation and reuse projects. It also provides general authority for research and demonstration programs to test water reclamation and reuse technologies.	Formula Grants Construction funding is limited to 25% of the construction cost or \$20 million per project.

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Funding and Financing Options

<p>Community Development Block Grants/State's Program</p> <p>Housing and Community Development Act of 1974, Title I, as amended, Public Law 93-383, 88 Stat. 633, 42 U.S.C. 53</p> <p>http://www.cfda.gov/static/p14228.htm</p>	<p>HUD</p>	<p>The primary objective of this program is the development of viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income.</p>	<p>Formula Grants</p>
<p>Community Services Block Grant – Discretionary Awards</p> <p>Community Opportunities, Accountability, Training, and Educational Services Act of 1998, Title II, Section 680, Public Law 105-285.</p> <p>http://www.cfda.gov/static/p93570.htm</p>	<p>HHS</p>	<p>To support program activities of national or regional significance to alleviate the causes of poverty in distressed communities which promote:</p> <p>(among other things) a better standard of living for rural low-income individuals in terms of water and waste water treatment</p>	<p>Project Grants</p> <p>\$75,000 to \$500,000</p>

Direct Federal Funding

For projects with national significance, Congress can appropriate federal funds for certain uses. The Florida Keys Water Quality Improvement Act (FKWQIA) was authorized by U.S. Congress to fund water quality improvements in the Keys through the Water Resources Development Act of 2000. This bill authorized \$100 million to be administered through USACE; however, the funding has not yet been appropriated and its future availability remains uncertain.

VI. FINANCIAL ASSISTANCE FOR LOW AND/OR FIXED INCOME USERS

Several programs are designed to reduce the cost of providing wastewater services to users of limited means, including:

- Lifeline Rates

Appendix H

Funding and Financing Options

- Cesspool Replacement Grants
- Assessment Deferral Programs

Lifeline Rates

Some communities provide discounts on the monthly wastewater bills to users who are below certain income levels. A more common practice is to set rates that have a low minimum charge and/or use fee for a minimum ("lifeline") level of service. Higher rates are then collected from users with higher levels of water consumption (and thereby higher estimated wastewater flows).

Cesspool Identification and Elimination Grant Program.

The Cesspool Replacement Program described previously is available to users at 62 to 84% of the cost of the installation of an OWNRS on-site system, based on improved property values.

Assessment Deferral Programs

A program could be established to allow low-income and/or fixed-income users who are required to connect to a community wastewater system to defer their costs of connecting to the wastewater system and/or LID assessments until such time as their property is sold. The interest expense on the deferred assessments or connection fees could be paid through a fund established for this purpose. The deferred assessments and connection fees would constitute a lien on the property, which would need to be satisfied upon the sale of the property. External funding would be needed to establish the fund for providing the interest subsidy for these low-income users.

**KLWTD Board Meeting
July 7, 2004**

Item PE 1

Report on the Design Review



"Excellence in Engineering"

20020 Veterans Boulevard., Suite 7
Port Charlotte, FL 33954
(941) 764-6447 ph
(941) 764-8915 fax

Design Submittal Status

The 99% drawings of the collection system were received by WEC on June 25th. WEC reviewed the drawings and submitted written comments to the design review team members on June 29th.

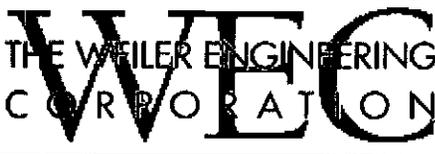
It is expected that the 99% wastewater treatment plant drawings will be received on June 30th.

A design review meeting is tentatively scheduled for Thursday, July 8th, pending approval by all review team members. This date would not allow the full 7 working days for review as provided for in the Design Submittal Protocol, but would reduce the amount of travel required by having the review on the day following the Board meeting. WEC has agreed to this schedule so long as the drawings are delivered no later than June 30th. As of this time, WEC is unaware if any of the other design review team members have been polled.

KLWTD Board Meeting
July 7, 2004

Item PE 2

Engineering Status Report



"Excellence in Engineering"

20020 Veterans Boulevard., Suite 7
Port Charlotte, FL 33954
(941) 764-6447 ph
(941) 764-8915 fax

Key Largo Wastewater Treatment District Engineering Status Report Period Ending 06/29/04

Client Issues

Strategic Planning

In April, 2004, the Board adopted the Strategic Planning Framework for the KLWTD, stipulating that it should be revisited and updated every 90 days. This means that an updated version is due in July 2004.

Chuck Fishburn has been hired as the District Manager, replacing GSG. Faith Doyle will remain as the District Clerk until a permanent local replacement can be found. David Miles has similarly been retained.

Future Projects

On the direction of the Board, WEC has generated a proposal to develop a Request for Qualifications to retain the services of an Engineer to design the next sewer project for the KLWTD. The Lake Surprise/Sexton Cove area has been identified by consensus of the Board to be the next area to be sewerred. WEC has prepared a scope of work which includes the preliminary design report and cost projections, the RFQ scope of work, evaluation of the responses, and design review after the contract is issued. A more complete description of WEC's proposal is provided as backup documentation in the July 7th, 2002 agenda package under the appropriate action item.

Key Largo Park Vacant Lots

WEC has been asked to provide an economic evaluation of several construction options in KLP. The cost of providing service to all occupied lots will be estimated using the unit costs from the Higgins contract. Then, reductions in the service area will be considered in order to determine the most beneficial use of the available funds, assuming that the funding is insufficient to sewer all of KLP.

Due to some minor discrepancies between Monroe County records and the 60% design documents, the evaluation was delayed until these differences could be reconciled. Joe Paterniti of Brown and Caldwell performed another site visit to verify the design. Minor corrections have been incorporated into the 99% collection system drawings. Work on the economic evaluation can now begin again.

The Haskell Company has stated that it will provide a cost for including the KLP project under the KLTV contract as a change order. The quantities taken off the new design will be used with the unit prices under the Higgins contract to calculate the base cost. It is understood that The Haskell Company's 5% markup will be applied to this amount. This can be compared with the costs under the Higgins contract as estimated by WEC in its analysis.

Treatment Plant

The wastewater treatment plant permit application was submitted to the FDEP. On review of the application, the FDEP submitted a Request for Information. This is the standard procedure for processing of permit applications. It is understood that Brown and Caldwell is drafting a response to the RFI at this time. Ed Castle discussed the RFI with Will English and Ted Hortenstine on June 25 and has had follow-up conversations with Ted Hortenstine.

It is expected that the 99% WWTP drawings will be received on June 30th, with a review meeting tentatively scheduled for July 8th.

The Haskell Company was requested by the Board to provide a proposed change order to add a second story to the motor control building at the treatment plant site. The second floor could be used as the KLWTD office and as a meeting room. Cost estimates for the change order are currently being developed.

Key Largo Park and Key Largo Trailer Village

The 99% wastewater collection system drawings for the KLTV and KLP projects were received by WEC on June 25th. Comments were prepared and distributed to the review team members on June 29th. These comments are copied below.

**KLWTD Design Review
KLTV and KLP 99% Collection System Drawings**

Sheet	Comment
C1	Add note for separation between gravity sewer mains and water mains
C1	Add note for minimum cover over pipe
C2	Detail E does not reflect Monroe County asphalt repair requirement for overlap
C3	Detail AA, specify drop inlets on manholes where inlet pipe invert is 24" or more above manhole invert
C3	Detail AA, clarify function of upper and lower RoeVac sumps. Would two vacuum valves at the lower invert elevation allow for more air admittance?
C3	Detail AA, specify manhole inflow covers, USA Bluebook 65408 or similar
C3	Detail AA, add specifications for achieving compaction in substrate supporting pea rock fill, especially in areas of silt and peat as discussed in the geotech report
C3	Detail K, service wye shown as horizontal connection. Verify with manufacturer that a vertical connection into main is not preferred.
C6	Verify that all developed lots are served.
C100	General Comments: (May be optional on design, but required on as-builts) <ul style="list-style-type: none"> • Show service lateral elevations on profile

	<ul style="list-style-type: none"> • Show vacuum service line invert elevation on profile • Show invert elevations of valves, reducers, wyes, etc. • Show vacuum pits on profile • Location of service wyes not shown on profile • What is the offset relative to? Must be a permanent, accessible reference point • On some sumps, there appear to be 4 gravity service lines (see C113, Avenue E). Verify that two lines wye together before entering the sump, preferably as close to the cleanouts as practical, similar to detail of service connections.
C101	Show spare 10" line from US 1
C109	Would three more services exceed buffer tank rating? If not, eliminate VC 109-1 and connect these properties to 8" gravity main
C200	General Comments: <ul style="list-style-type: none"> • Some lots that are not shaded (indicating that they are developed) are shown with dashed services (future). Please clarify.

The meeting to review the 99% collection system drawings is currently planned to be held concurrently with the WWTP 99% drawings review with a tentative date of July 8th being set.

Haskell Pay Applications

The Haskell Company Pay Application No. 8 for KLTV and Pay Application No. 2 for the redesign of KLP were processed in the month of June. All requested documentation was provided. A summary of the pay amounts is tabulated below.

Application No. 7

Item	Gross Requested Billing	Gross Approved Billing	Retainage This Period (10%)	Net to Pay as Approved
4. Supervision	\$5,000.00	\$5,000.00	\$500.00	\$4,500.00
5. Travel & Subsistence	\$2,000.00	\$2,000.00	\$200.00	\$1,800.00
13. Permits and Licenses	\$7,850.00	\$7,850.00	\$785.00	\$7,065.00
17. 90% Design Development	\$142,000.00	\$142,000.00	\$14,200.00	\$127,800.00
TOTAL	\$156,850.00	\$156,850.00	\$15,685.00	\$141,165.00

Change Order No. 1, Application No. 2

Item	Gross Requested Billing	Gross Approved Billing	Retainage This Period (10%)	Net to Pay as Approved
17. 90% Design Development	\$13,164.00	\$13,164.00	\$1,316.40	\$11,847.60
18. Final Design Development	\$2,500.00	\$2,500.00	\$250.00	\$2,250.00
TOTAL	\$15,664.00	\$15,664.00	\$1,566.40	\$14,097.60

Regulatory Compliance Issues

As discussed earlier, the KLTV and KLP collection system permit application was submitted to FDEP in April. Responses to the Request for Information from FDEP have been provided by The Haskell Company.

The WWTP permit application was prepared and submitted by The Haskell Company in May. A Request for Information from the FDEP was received and a response is being developed.

Project Team Meetings and Actions

WEC participated in the normally scheduled weekly Working Group conference calls each Monday during the period. WEC also attended the June 2nd and June 17th Board meetings. WEC met prior to the June 17th meeting with Chuck Fishburn, Tom Dillon in preparation for the Board meetings.

Ed Castle also met with Chuck Fishburn on June 2nd to discuss planning issue and the next project for the KLWTD.

KLWTD Board Meeting

July 7, 2004

Item PE 3

Status of Change Order to add a second floor to the treatment plant for use as office space.

Faith Doyle

From: English, William T. [william.english@thehaskellco.com]
Sent: Tuesday, June 29, 2004 12:26 PM
To: Ed Castle (EdRCastle@aol.com)
Cc: Chuck Fishburn; Stuart Oppenheim (soppenheim@brwnaald.com); Kinsley, Peter M.
Subject: Key Largo - Admin. Building Change Proposal

Ed, I spoke with both FDEP and the Monroe County Bldg. Dept. concerning the addition of a second floor to the Admin. Bldg. Mel Reinhardt stated that the change wouldn't be applicable to the FDEP Wastewater Plant Permit and therefore the permit would not require modification. Joe Paskalik with Monroe County stated that a permit revision would be necessary to make the change at the County level. Brown & Caldwell are currently looking into design fees and anticipated structural changes. Haskell will be able to develop an accurate cost proposal shortly thereafter. Please contact me with any questions.

William T. English
The Haskell Company
Project Manager
office (904) 357-4225
cell (904) 759-8110

6/29/04

KLWTD Board Meeting

July 7, 2004

Item CI 1

Status of the CFO's Position

June 23, 2004



Mr. Gary Bauman
Chairman
Key Largo Wastewater Treatment District
Key Largo, Florida 33037

Dear Mr. Bauman:

As you requested, we have estimated the annual fee for performing the position of Chief Financial Officer for the Key Largo Wastewater Treatment District. As you instructed, we contacted David Miles from Government Services Group, Inc. (GSG). He gave us the number of hours that he and his staff were currently spending in the chief financial officer role. David also informed us that his monthly hours would be increasing from 40 to 50 hours a month when construction started this summer. We have prepared a schedule (attached) which applies both our standard rates and our rates discounted by 20% to these hours. Discounting our rates by 20% results in rates which are \$10 per hour below GSG's for the manager role and \$13 per hour lower for the accounting staff. This approach results in us proposing an annual fee of \$65,600.

It should be noted that the annual budget preparation and audit/financial statement preparation tasks are based on the services performed by GSG last year. This does not include submitting the comprehensive annual financial report for a certificate of achievement from the Government Finance Officers Association. If the Board requests that its CAFR be submitted, we estimate that it would take an additional ten hours of manager time.

We calculated our services at 50 hours a month for all twelve months, which includes time for transition from GSG during the first two months. We then assumed that we would be in the construction phase for the remainder of the year. Furthermore, we will bill you for any expenses separately; however, we estimate that any such expenses should be minimal following the transition period which will probably require us going to Orlando.

We look forward to providing these services to the Key Largo Wastewater District. Please contact me with any questions.

David S. Andrews
President
Mull and Associates P.A.

Key Largo Wastewater Treatment District
Grant Compliance/Accounting

	<u>Hours</u>	<u>Rate@100%</u>	<u>Fee</u>	<u>Rate@80%</u>	<u>Fee</u>
<u>Current (40 hours/month)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>
<u>As of Construction (8/1or 9/1/04)</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	25	\$90	\$ 2,250	\$72	\$ 1,800
Total	<u>50</u>		<u>\$ 6,000</u>		<u>\$ 4,800</u>
<u>Annual Budget Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>
<u>Annual Audit-F/S Preparation</u>					
Manager	25	\$150	\$ 3,750	\$120	\$ 3,000
Accounting Staff	15	\$90	\$ 1,350	\$72	\$ 1,080
Total	<u>40</u>		<u>\$ 5,100</u>		<u>\$ 4,080</u>

	<u>Total</u>	
	<u>Monthly</u>	<u>Annual</u>
Monthly charge	\$ 4,800	\$ 57,600
Budget preparation (rounded)		\$ 4,000
Audit-financial statement preparation (rounded)		\$ 4,000
		<u>\$ 65,600</u>

**KLWTD Board Meeting
July 7, 2004**

Item C1 2

**GSG Contract/District
Representative Discussion**

Faith Doyle

From: Andrew Tobin [tobinlaw@terranova.net]
Sent: Friday, June 25, 2004 2:37 PM
To: Thomas Dillon
Cc: Gary Bauman; Jerry Wilkinson; Gary Bauman (E-mail); Faith Doyle; Cris Beaty (E-mail); Charles Brooks (E-mail); Andrew Tobin; Charles Fishburn
Subject: Re: GSG contract - District Representative

All;

I would like to discuss this at the next board meeting before anything official is sent to GSG.

Thanks,

Andy

Thomas Dillon writes:

> Gary, this is the form of notice that I recommend to be sent to GSG:

>

> Pursuant to Paragraph 5 of the Amendment to Management Services Agreement between the Key Largo Wastewater Treatment District ("District") and Government Services Group, Inc. ("GSG"), effective May 1, 2004, I am notifying you that the District's authorized representative for the purpose of directing GSG's services is the District's General Manager, Charles F. Fishburn.

>

> Gary Bauman, Chairman